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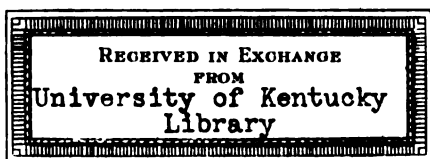
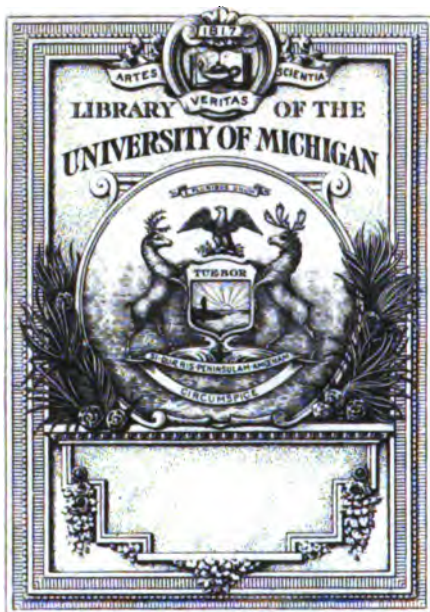
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1846/47
JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE



COMMONWEALTH OF KENTUCKY, *General
assembly. House*

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON THURSDAY THE THIRTY FIRST DAY
OF DECEMBER, IN THE YEAR OF OUR LORD, 1846, AND OF
THE COMMONWEALTH, THE FIFTY FIFTH.

FRANKFORT, KY.
A. G. HODGES—STATE PRINTER.
1846.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

At a General Assembly, begun and held for the Commonwealth of Kentucky, at the Capitol, in the town of Frankfort, on Thursday the 31st day of December, in the year of our Lord, 1846, and in the 55th year of the Commonwealth—on which day (being that designated by law,) the following members of the House of Representatives appeared, viz:

From the county of *Adair*—Robert B. Mays.

From the county of *Allen*—George W. Mansfield.

From the county of *Anderson*—Randall Walker.

From the county of *Boyle*—James P. Mitchell.

From the county of *Bracken*—Thomas H. Bradford.

From the county of *Bullitt*—Michael O. Wade.

From the county of *Bourbon*—Charles Talbutt and Richard H. Hanson.

From the county of *Barren*—William E. Munford and John Young.

From the county of *Breckinridge*—Joseph T. Smith.

From the county of *Boone*—Thomas Rouse.

From the counties of *Breathitt* and *Morgan*—James Elliott.

From the county of *Bath*—Felix M. Fletcher.

From the counties of *Ballard* and *McCracken*—John W. Crockett.

From the counties of *Butler* and *Edmonson*—Lot W. Moore.

From the county of *Campbell*—James M. McArthur.

From the county of *Caldwell*—Jesse Steven.

From the county of *Christian*—Daniel H. Harrison and Joab Clarke.

From the county of *Clarke*—James H. G. Bly.

From the counties of *Carroll* and *Gallatin*—John P. Tandy.

From the county of *Casey*—Winston Bowman.
 From the counties of *Cumberland* and *Clinton*—David R. Haggard.
 From the counties of *Carter* and *Lawrence*—George W. Crawford.
 From the county of *Crittenden*—Henry R. D. Coleman.
 From the counties of *Calloway* and *Marshall*—Alfred Johnston.
 From the counties of *Clay*, *Letcher* and *Perry*—Daugherty White.
 From the county of *Daviess*—John P. Devereaux.
 From the counties of *Estill* and *Owsley*—John H. Riddle.
 From the county of *Franklin*—William D. Reed,
 From the county of *Fayette*—Leslie Combs and Richard Sparr.
 From the counties of *Floyd*, *Pike* and *Johnson*—Daniel Hager.
 From the county of *Fleming*—William S. Botts and William M. Phil-

lips.

From the county of *Graves*—John A. Board.
 From the county of *Greenup*—Jeff. Evans.
 From the county of *Grant*—Peter Ireland.
 From the county of *Garrard*—Gabriel J. Salter.
 From the county of *Green*—Ignatius Abell and George W. Towles.
 From the county of *Grayson*—Charles Wortham.
 From the county of *Hopkins*—Samuel Morton.
 From the counties of *Hickman* and *Fulton*—Newton E. Wright.
 From the county of *Henderson*—John E. McCallister.
 From the county of *Hardin*—Thomas D. Brown and William D. Ver-

trese.

From the county of *Hancock*—William D. Mayhall.
 From the county of *Henry*—Charles E. Marshall.
 From the counties of *Knox* and *Harlan*—Radford M. Cobb.
 From the county of *Hart*—John Bowmar.
 From the county of *Harrison*—Lucius Desha and Napoleon M. Durbin.
 From the county of *Jefferson*—Edward D. Hobbs and David Meriwether.
 From the county of *Jessamine*—Joseph W. Thompson.
 From the county of *Kenton*—John W. Stevenson.
 From the city of *Louisville*—Gwyn Page and John Irvine.
 From the county of *Larue*—William Beeler.
 From the counties of *Laurel* and *Rockcastle*—Granville Pearl.
 From the county of *Lincoln*—Benjamin F. Purdom.
 From the county of *Letcher*—Larkin J. Proctor.
 From the county of *Logan*—Albert G. Rhea.
 From the county of *Livingston*—Robert S. Boyd.
 From the county of *Madenburg*—Wiley S. Hay.
 From the county of *Madison*—David Irvine and David Martin.
 From the county of *Montgomery*—Madison Stewart.

From the county of *Mercer*—Peter Jordan.

From the county of *Marion*—Edmund A. Graves.

From the county of *Meade*—William Alexander.

From the county of *Monroe*—Micajah Ogelsby.

From the county of *Mason*—Henry Waller and James B. Hord.

From the county of *Nelson*—Albert G. Botts and Nathaniel G. Thomas.

From the county of *Nicholas*—John Hall.

From the county of *Owen*—Williams W. Alnut.

From the county of *Oldham*—George Armstrong.

From the county of *Ohio*—Robert T. Bell.

From the county of *Pulaski*—Milford Elliott.

From the county of *Pendleton*—John Wheeler.

From the county of *Russell*—Hector Owens.

From the county of *Simpson*—John Hoy.

From the county of *Shelby*—Martin D. McHenry and William L. Jones.

From the county of *Scott*—Lucien B. Dickerson.

From the county of *Spencer*—James Gilbert.

From the county of *Trimble*—Samuel S. English.

From the county of *Todd*—Robert E. Glenn.

From the county of *Trigg*—William Soery.

From the county of *Union*—Ignatius A. Spalding.

From the county of *Woodford*—John Steele.

From the county of *Washington*—John R. Jones.

From the county of *Wayne*—Sherrod Williams.

From the county of *Warren*—Euclid M. Covington.

From the county of *Whitley*—Jonathan Foley.

Who, constituting a quorum, and having severally taken the oaths prescribed by the Constitution of the United States and Constitution and Laws of this State, repaired to their seats.

Mr. Brown nominated Mr. Leslie Combs as a suitable person to fill the office of Speaker; Mr Graves nominated Mr. David McCallister; Mr. Haggard nominated Mr. Sherrod Williams; Mr. Mayhall nominated Mr. Gwyn Page; and the vote being taken, it stood thus:

Those who voted Mr. Combs, were—

Messrs. Alexander,
Beeler,
Botts, A. G.
Botts, W. S.
Bowmar,
Bradford,
Brown,
Bush,
Cobb,
Crawford,

Evans,
Gilbert,
Hall,
Hanson,
Hord,
Hoy,
Irvine, D.
Martin,
McCallister,
Mitchell,

Proctor,
Purdum,
Reed,
Salter,
Smith,
Spurr,
Steele,
Stewart,
Talbutt,
Tandy,

Crockett,
Covington,
Devereaux,
Durbin,

Moore,
Munford,
Pearl,
Phillips,

Thomas,
Thompson,
White,
Wortham—42.

Those who voted for Mr. Meriwether, were—

Messrs. Abell,
Alnut,
Armstrong,
Bell,
Board,
Clarke,
Coleman,
Desha,
Dickerson,
Elliott, J.
Elliott, M.
English,

Fletcher,
Graves,
Hager,
Ireland,
Irvine, J.
Johnston,
Jones, J. R.
Mansfield,
Marshall,
Mays,
McArthur,
Morton,

Ogelsby,
Riddle,
Rouse,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,
Wheeler,
Wright—35.

Those who voted for Mr. Williams, were—

Messrs. Bowman,
Foley,
Haggard,

Jones, W. L.
Jordan,
McHenry,

Owens,
Rhea—8.

Those who voted for Mr. Page, were—

Messrs. Boyd,
Glenn,
Harrison,
Hay,

Hobbs,
Mayhall,
Soery,
Vertress,

Waller,
Young—10.

No one on nomination having received a majority of all the votes given, Mr. Mayhall then withdrew the nomination of Mr. Page.

Mr. Wortham moved the following resolution, viz:

Resolved, That hereafter the one receiving the smallest number of votes shall be dropped.

Which being twice read was adopted.

Mr. Haggard withdrew the nomination of Mr. Williams.

The vote was then taken between those remaining on nomination, and stood thus:

Those who voted for Mr. Combs, were—

Messrs. Alexander,
Beeler,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,

Hanson,
Harrison,
Hay,
Hobbs,
Hord,
Hoy,
Irvine, D.
Jones, W. L.
Jordan,

Proctor,
Purdum,
Reed,
Rhea,
Salter,
Smith,
Soery,
Spurr,
Steele,

Bush,
Cobb,
Crawford,
Crockett,
Covington,
Devereaux,
Durbin,
Evans,
Foley,
Gilbert,
Haggard,
Hall,

Martin,
Mayhall,
McCallister,
McHenry,
Mitchell,
Moore,
Munford,
Owens,
Page,
Pearl,
Phillips,

Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Vertress,
Waller,
White,
Williams,
Wortham,
Young.—61.

Those who voted for Mr. Meriwether, were—

Messrs. Abell,
Alnut,
Armstrong,
Bell,
Board,
Clarke,
Coleman,
Desha,
Dickerson,
Elliott, J.
Elliott, M.
English,

Fletcher,
Graves,
Hager,
Ireland,
Irvine, J.
Johnston,
Jones, J. R.
Mansfield,
Marshall,
Mays,
McArthur,
Morton,

Oglesby,
Riddle,
Rouse,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,
Wheeler,
Wright.—35.

Mr. Combs having received a majority of all the votes given, was declared duly elected Speaker, and conducted to the chair; from whence he returned thanks for the honor conferred, and recommended the observance and preservation of good order and decorum.

Mr. Thomas J. Helm was unanimously elected Clerk, and Mr. Joseph Gray Sergeant-at-Arms.

Mr. Hanson nominated Mr. William R. Campbell as a suitable person to fill the office of Doorkeeper; Mr. Wortham nominated Miss Eliza Brown; Mr. Marshall nominated Mr. William F. Leathers; Mr. Ireland nominated Mr. J. F. Gooch; Mr. Young nominated Mr. J. B. Stockton; Mr. Harrison nominated Mr. Washington Emmerson; Mr. Riddle nominated Mr. A. F. Livingston, and Mr. Reed nominated Mr. Samuel Hitchman; and the vote being taken, it stood thus:

Those who voted for Mr. Campbell, were—

Mr. Speaker,
Messrs. Botts, A. G.
Boyd,
Bradford,
Bush,
Crawford,

Hall,
Hanson,
Hobbs,
Hord,
Hoy,
Jones, W. L.

Proctor,
Purdum,
Rhea,
Salter,
Soery,
Steels,

Crockett,
Devereaux,
Evans,

McCallister,
Page,

Talbutt,
Thompson—25.

Those who voted for Mr. Brown, were—

Messrs. Alexander,
Beeler,
Bowmar,
Brown,

Covington,
Gilbert,
McHenry,
Spurr,

Thomas,
Vertreas,
Wortham—11.

Those who voted for Mr. Leathers, were—

Messrs. Abell,
Alnut,
Armstrong,
Bell,
Board,
Clarke,
Coleman,
Desha,
Dickerson,
Elliott, J.
Elliott, M.

English,
Fletcher,
Graves,
Irvine, J.
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Marshall,
Mays,
McArthur,

Meriwether,
Moore,
Morton,
Oglesby,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,
Wright—33.

Those who voted for Mr. Gooch, were—

Messrs. Botts, W. S.
Durbin,
Ireland,

Phillips,
Rouse,
Tandy,

Waller,
Wheeler—8.

Those who voted for Mr. Stockton, were—

Messrs. Munford,

Young—2.

Those who voted for Mr. Emerson, were—

Messrs. Bowman,
Glenn,
Haggard,
Harrison

Hay,
Mayhall,
Mitchell,

Owens,
Smith,
Williams—10.

Those who voted for Mr. Livingston, were—

Messrs. Cobb,
Foley,
Hager,

Irvine, D.
Martin,
Pearl,

Reed,
Riddle,
White—9.

For Mr. Hitchman—Mr. Stewart,

No one on nomination having received a majority of all the votes given,
House proceeded to take another vote, which stood thus:

Those who voted for Mr. Campbell, were—

Mr. Speaker,
Messrs. Botts, A. G.
Boyd,
Bradford,

Hall,
Hanson,
Hobbs,
Hord,

Page,
Proctor,
Salter,
Soery,

Bush,
Crawford,
Crockett,
Evans,

Hoy,
Jones, W. L.
McCallister,

Steele,
Talbutt,
Thompson—22.

Those who voted for Mr. Brown, were—

Messrs. Alexander,
Beeler,
Bowmar,
Brown,
Covington,

Devereux,
Gilbert,
Hay,
McHenry,

Spurr,
Thomas,
Vertress,
Wortham—13.

Those who voted for Mr. Leathers, were—

Messrs. Abell,
Alnut,
Armstrong,
Bell,
Board,
Clarke,
Coleman,
Desha,
Dickerson,
Elliott, J.
Elliott, M.
English,

Fletcher,
Graves,
Irvine, J.
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Marshall,
Mays,
McArthur,
Meriwether,

Moore,
Morton,
Oglesby,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,
Wheeler,
Wright—34.

Those who voted for Mr. Gooch, were—

Messrs. Botts, W. S.
Durbin,
Ireland,

Pearl,
Phillips,
Rouse,

Stewart,
Tandy,
Waller—9.

Those who voted for Mr. Stockton, were—

Messrs. Munford,

Rhea,

Young—3.

Those who voted for Mr. Emmerson, were—

Messrs. Bowman,
Glenn,
Haggard,
Harrison,

Mayhall,
Mitchell,
Owens,

Blanton,
Smith,
Williams—10.

Those who voted for Mr. Livingston, were—

Messrs. Cobb,
Foley,
Hager.

Irvine, D.
Martin,

Riddle,
White—7.

For Mr. Hitchman—Reed.

A message was received from the Senate by Mr. Peyton,

Mr. Speaker: I am directed by the Senate to inform this House, that the Senate having met, formed a quorum, and elected their officers, are now ready to proceed to legislative business.

Mr. Hobbs moved the following resolution, viz:

Resolved, That after the following ballot for the election of Doorkeeper, the person receiving the smallest number of votes shall be dropped.

Which being twice read was adopted.

The vote was again taken between those on nomination, and stood thus:

Those who voted for Mr. Campbell, were—

Mr. Speaker,	Hanson,	Proctor,
Messrs. Botts, A. G.	Hay,	Salter,
Boyd,	Hobbs,	Soery,
Bradford,	Hord,	Steele,
Bush,	Hoy,	Stewart,
Crawford,	Jones, W. L.	Talbutt,
Crockett,	McCallister,	Thompson,
Evans,	Page,	Waller—25.
Hall,		

Those who voted for Mr. Brown, were—

Messrs. Alexander,	Covington,	Spurr,
Beeler,	Devereux,	Thomas,
Bowmar,	Gilbert,	Vertress,
Brown,	McHenry,	Wortham—12.

Those who voted for Mr. Leathers, were—

Messrs. Abell,	Fletcher,	Moore,
Alnut,	Graves,	Morton,
Armstrong,	Irvine, J.	Oglesby,
Bell,	Johnston,	Rouse,
Board,	Jones, J. R.	Spalding,
Clarke,	Jordan,	Stevens,
Coleman,	Mansfield,	Stevenson,
Desha,	Marshall,	Towles,
Dickerson,	Mays,	Wade,
Elliott, J.	McArthur,	Walker,
Ellis, M.	Meriwether,	Wright—34.
English,		

Those who voted for Mr. Gooch, were—

Messrs. Botts, W. S.	Ireland,	Tandy,
Durbin,	Phillips,	Wheeler—6.

Those who voted for Mr. Stockton, were—

Messrs. Munford,	Rhea,	Young—3.
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Those who voted for Mr. Emmerson, were—

Messrs. Bowman,	Mayhall,	Purdum,
Glenn,	Mitchell,	Smith,
Haggard,	Owens,	Williams—10.
Harrison,		

Those who voted for Mr. Livingston, were—

Messrs. Cobb,	Irvine, D.	Reed,
Foley,	Martin,	Riddle,
Hager,	Pearl,	White—9.

Mr. Ireland then withdrew the nomination of Mr. Gooch.

And the vote being taken between those on nomination, it stood thus:

Those who voted for Mr. Campbell, were—

Mr. Speaker,	Hanson,	Proctor,
Messrs. Botts, A. G.	Hay,	Salter,
Botts, W. S.	Hobbs,	Soery,
Boyd,	Hord,	Steele,
Bradford,	Hoy,	Stewart,
Bush,	Jones, W. L.	Talbutt,
Crawford,	McCallister,	Tandy,
Crockett,	Page,	Thompson,
Evans,	Phillips,	Waller—28.
Hall,		

Those who voted for Mr. Brown, were—

Messrs. Alexander,	Durbin,	Spurr,
Beeler,	Gilbert,	Thomas,
Bowmar,	McHenry,	Vertress,
Brown,	Munford,	Wortham,
Covington,	Rhea,	Young—16.
Devereux,		

Those who voted for Mr. Leathers, were—

Messrs. Abell,	Fletcher,	Moore,
Alnut,	Graves,	Morton,
Armstrong,	Ireland,	Oglesby,
Bell,	Irvine, J.	Rouse,
Board,	Johnston,	Spalding,
Clarke,	Jones, J. R.	Stevens,
Coleman,	Jordan,	Stinson,
Desha,	Mansfield,	Fowler,
Dickerson,	Marshall,	Wade,
Elliott, J.	Mays,	Walker,
Elliott, M.	McArthur,	Wheeler,
English,	Meriwether,	Wright—36.

Those who voted for Mr. Emmerson, were—

Messrs. Bowman,	Mayhall,	Purdum,
Glenn,	Mitchell,	Smith,
Haggard,	Owens,	Williams—10.
Harrison,		

Those who voted for Mr. Livingston, were—

Messrs. Cobb,	Irvine, D.	Reed,
Foley,	Martin,	Riddle,
Hager,	Pearl,	White—9.

No one on nomination having received a majority of all the votes given, the vote was again taken, which stood thus:

Those who voted for Mr. Campbell, were—

Mr. Speaker,	Hanson,	Salter,
Messrs. Botts, A. G.	Hobbs,	Soery,
Botts, W. S.	Hord,	Spurr,
Boyd,	Hoy,	Steele,
Bradford,	Jones, W. L.	Stewart,
Bush,	Martin,	Talbutt,
Crawford,	McCallister,	Tandy,
Crockett,	Page,	Thompson,
Evans,	Phillips,	Waller,
Hall,	Proctor,	White—30.

Those who voted for Mr. Brown, were—

Messrs. Alexander,	Gilbert,	Reed,
Beeler,	Hay,	Rhea,
Bowmar,	Irvine, D.	Thomas,
Brown,	McHenry,	Vertrees,
Covington,	Munford,	Wortham,
Devereux,	Pearl,	Young—19.
Durbin,		

Those who voted for Mr. Leathers, were—

Messrs. Abell,	Graves,	Morton,
Alnut,	Ireland,	Oglesby,
Armstrong,	Irvine, J.	Riddle,
Bell,	Johnston,	Rouse,
Board,	Jones, J. R.	Spalding,
Clarke,	Jordan,	Stevens,
Coleman,	Mansfield,	Stevenson,
Desha,	Marshall,	Towles,
Dickerson,	Mays,	Wade,
Bott, J.	McArthur,	Walker,
Elliott,	Meriwether,	Wheeler,
English,	Moore,	Wright—37.
Fletcher,		

Those who voted for Mr. Emmerson, were—

Messrs. Bowman,	Hager,	Owens,
Cobb,	Harrison,	Purdum,
Foley,	Mayhall,	Smith,
Glenn,	Mitchell,	Williams—13.
Haggard,		

The vote was then taken between those remaining on nomination, and stood thus:

Those who voted for Mr. Campbell, were—

Mr. Speaker,	Hobbs,	Salter,
Messrs. Botts, A. G.	Hord,	Soery,

Botts, W. S.
Boyd,
Bradford,
Bush,
Crawford,
Crockett,
Evans,
Hall,
Hanson,

Hoy,
Jones, W. L.
Martin,
Mayhall,
McCallister,
Page,
Phillips,
Proctor,
Purdom,

Spurr,
Steele,
Stewart,
Talbutt,
Tandy,
Thompson,
Waller,
White—32.

Those who voted for Mr. Brown, were—

Messrs. Alexander,
Beeler,
Bowman,
Bowmar,
Brown,
Cobb,
Covington,
Devereux,
Durbin,
Foley,

Gilbert,
Glenn,
Haggard,
Harrison,
Hay,
Irvine, D.
McHenry,
Mitchell,
Munford,
Owens,

Pearl,
Reed,
Rhea,
Smith,
Thomas,
Vertress,
Williams,
Wortham,
Young.—29.

Those who voted for Mr Leathers, were—

Messrs. Abell,
Alnut,
Armstrong,
Bell,
Board,
Clarke,
Coleman,
Desha,
Dickerson,
Elliott, J.
Elliott, M.
English,
Fletcher,

Graves,
Hager,
Ireland,
Irvine, J.
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Marshall,
Mays,
McArthur,
Meriwether,
Moore,

Morton,
Oglesby,
Riddle,
Rouse,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,
Wheeler,
Wright—38.

The vote was again taken between those remaining on nomination, and it stood thus:

Those who voted for Mr. Campbell, were—

Mr. Speaker,
Messrs. Alexander,
Beeler,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Bush,

Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Hord,
Hoy,
Irvine, D.
Jones, W. L.
Martin,
Mayhall,

Proctor,
Purdom,
Rhea,
Salter,
Smith,
Soery,
Spurr,
Steele,
Stewart,
Talbutt,
Tandy,

Cobb,
Crockett,
Covington,
Devereux,
Durbin,
Evans,
Foley,
Gilbert,

McCallister,
McHenry,
Mitchell,
Munford,
Page,
Pearl,
Phillips,

Thomas,
Thompson,
Vertrees,
Waller,
White,
Wortham,
Young—55.

Those who voted for Mr. Leathers, were—

Messrs. Abell,
Alnut,
Armstrong,
Bell,
Board,
Clarke,
Coleman,
Desha,
Dickerson,
Elliott, J.
Elliott, M.
English,
Fletcher,
Glenn,
Graves,

Haggard,
Hager,
Ireland,
Irvine, J.
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Marshall,
Mays,
McArthur,
Meriwether,
Moore,
Morton,
Ogelsby,

Owens,
Reed,
Riddle,
Rouse,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,
Wheeler,
Williams,
Wright—43.

Mr. Campbell having received a majority of all the votes given, was declared duly elected Doorkeeper for the present session.

On motion of Mr. W. S. Botts,

Ordered, That a message be sent to the Senate, informing them, that this House had met, formed a quorum, and elected their officers, and are now ready to proceed to legislative business. That they had appointed a committee on their part to act in conjunction with a committee on the part of the Senate, to wait on the Governor, and inform him that they are now ready to receive such communication, (by way of message,) as he may think proper to make.

Whereupon, Messrs. W. S. Botts, Williams and Stevenson were appointed a committee on the part of this House.

Ordered, That Mr. W. S. Botts inform the Senate thereof.

Mr. Haggard moved the following resolution, viz:

Resolved, That this House now proceed to the election of an Assistant Clerk.

Which was adopted.

On the motion of Mr. McHenry,

Ordered, That the rules of the last session of the General Assembly be adopted for the government of the present session, and that a committee on Federal Relations be appointed.

Mr. Haggard nominated Mr. Rice Maxey as a suitable person to fill the office of Assistant Clerk; Mr. Salter nominated Mr. Thomas J. Buford; Mr. Brown nominated Mr. John C. Herndon, and Mr. Evans nominated Mr. William Corum; and the vote being taken, it stood thus:

Those who voted for Mr. Maxey, were—

Messrs. Abell,	Hay,	Owens,
Bell,	Hoy,	Purdom,
Bowman,	Irvine, J.	Rhea,
Bowmar,	Johnston,	Soery,
Coleman,	Jordan,	Spalding,
Covington,	Mansfield,	Stevens,
Elliott, M.	Mays,	Thompson,
Gilbert,	McArthur,	Towles,
Glenn,	Moore,	Wade,
Graves,	Morton,	Williams,
Haggard,	Munford,	Young—35
Harrison,	Oglesby,	

Those who voted for Mr. Buford, were—

Messrs. Cobb,	Martin,	Wheeler,
Foley,	Pearl,	White—8.
Irvine, D.	Salter,	

Those who voted for Mr. Herndon, were—

Mr. Speaker.	English,	Reed,
Messrs. Alexander,	Fletcher,	Riddle,
Alnut,	Hall,	Rouse,
Armstrong,	Hanson,	Smith,
Beeler,	Hobbs,	Spurr,
Board,	Hord,	Steele,
Botts,	Ireland,	Stevenson,
Boyd,	Jones, W. L.	Talbutt,
Bradford,	Marshall,	Tandy,
Brown,	Mayhall,	Thomas,
Bush,	McCallister,	Waltress,
Clarke,	Meriwether,	Walker,
Crockett,	Mitchell,	Waller,
Devereux,	Page,	Wortham,
Dickerson,	Proctor,	Wright—45.

Those who voted for Mr. Corum, were—

Messrs. Botts, W. S.	Elliott, J.	Jones, J. R.
Crawford,	Evans,	Phillips,
Desha,	Hager,	Stewart—10.
Durbin,		

On motion of Mr. Proctor,

Resolved, That after the succeeding ballot the person receiving the smallest number of votes shall be dropped.

The vote being again taken, it stood thus:

Those who voted for Mr. Maxey, were—

Messrs. Abell,	Hay,	Owens,
Bell,	Hoy,	Purdum,
Bowman,	Irvine, J.	Rhea,
Bowmar,	Johnston,	Soery,
Cobb,	Jordan,	Spalding,
Coleman,	Mansfield,	Stevens,
Covington,	Mays,	Thompson,
Elliott, M.	McArthur,	Towles,
Gilbert,	Moore,	Wade,
Glenn,	Morton,	Williams,
Graves,	Munford,	Wright,
Haggard,	Oglesby,	Young—37.
Harrison,		

Those who voted for Mr. Buford, were—

Messrs. Foley,	Pearl,	Wheeler,
Irvine, D.	Salter.	White—7,
Martin,		

Those who voted for Mr. Herndon, were—

Mr. Speaker,	English,	Proctor,
Messrs. Alexander,	Fletcher,	Reed,
Alnut,	Hall,	Riddle,
Armstrong,	Hanson,	Rouse,
Beeler,	Hobbs,	Smith,
Board,	Hord,	Spurr,
Botts, A. G.	Ireland,	Steele,
Boyd,	Jones, J. R.	Stevenson,
Bradford,	Jones, W. L.	Talbutt,
Brown,	Marshall,	Tandy,
Bush,	Mayhall,	Thomas,
Clarke,	McCallister,	Vertress,
Crockett,	Meriwether,	Walker,
Deverett,	Mitchell,	Waller,
Dickerson.	Page,	Wortham—45.

Those who voted for Mr. Corum, were—

Messrs. Botts, W. S.	Durbin,	Hager,
Crawford,	Elliott, J.	Phillips,
Désha,	Evans,	Stewart—9.

The vote being again taken between those remaining on nomination, it stood thus:

Those who voted for Mr. Maxey, were—

Messrs. Abell,	Harrison,	Oglesby,
Bell,	Hay,	Owens,
Bowman,	Hoy,	Pearl,

Bowmar,
Cobb,
Coleman,
Covington,
Elliott, M.
English,
Foley,
Gilbert,
Glenn,
Graves,
Haggard,

Irvin, J.
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Martin,
Mays,
McArthur,
Moore,
Morton,
Munford,

Purdom,
Rhea,
Soery,
Spalding,
Stevens,
Thompson,
Towles,
Wade,
Williams,
Young—41.

Those who voted for Mr. Herndon, were—

Mr. Speaker,
Messrs. Alexander,
Alnut,
Armstrong,
Beeler,
Board,
Botts, A. G.
Boyd,
Bradford,
Brown,
Bush,
Clarke,
Crockett,
Devereux,
Dickerson,
Fletcher,

Hall,
Hanson,
Hobbs,
Hord,
Ireland,
Jones, W. L.
Marshall,
Mayhall,
McCallister,
Meriwether,
Mitchell,
Page,
Proctor
Reed,
Riddle,
Rouse,

Salter,
Smith,
Spurr,
Steele,
Stevenson,
Talbutt,
Tandy,
Thomas,
Vertress,
Walker,
Waller,
Wheeler,
White,
Wortham,
Wright—47.

Those who voted for Mr. Corum, were—

Messrs. Botts, W. S.
Crawford,
Desha,
Durbin,

Elliott, J.
Evans,
Hager,

Irvine, D.
Phillips,
Stewart—56.

The vote being again taken between those remaining on nomination, it stood thus:

Those who voted for Mr. Maxey, were—

Messrs. Abell,
Bell,
Bowman,
Bowmar,
Clarke,
Cobb,
Coleman,
Covington,
Elliott, J.
Elliott, M.
English,

Graves,
Haggard,
Hager,
Harrison,
Hay,
Hoy,
Irvin, J.
Johnston,
Jones, J. R.
Jordan,
Mansfield,

Morton,
Munford,
Oglesby,
Owens,
Pearl,
Purdom,
Rhea,
Soery,
Spalding,
Stevens,
Thompson,

Evans,
Foley,
Gilbert,
Glenn,

Martin,
Mays,
McArthur,
Moore,

Towles,
Wade,
Williams,
Young—45.

Those who voted for Mr. Herndon, were—

Mr. Speaker,
Messrs. Alexander,
Alnut,
Armstrong,
Beeler,
Board,
Botts, A. G.
Botts, W. S.
Boyd,
Bradford,
Brown,
Bush,
Crawford,
Crockett,
Desha,
Devereux,
Dickerson,
Durbin,

Fletcher,
Hall,
Hanson,
Hobbs,
Hord,
Ireland,
Irvine, D.
Jones, W. L.
Marshall,
Mayhall,
McCallister,
Meriwether,
Mitchell,
Page,
Phillips,
Proctor,
Reed,
Riddle,

Rouse,
Salter,
Smith,
Spurr,
Steele,
Stevenson,
Stewart,
Talbutt,
Tandy,
Thomas,
Vertress,
Walker,
Waller,
Wheeler,
White,
Wortham,
Wright—53.

Mr. John C. Herndon having received a majority of all the votes given, was declared duly elected Assistant Clerk.

And then the House adjourned.

FRIDAY, JANUARY 1, 1847.

The Speaker laid before the House the annual report of the Kentucky and Louisville Mutual Insurance Company, which is as follows, viz :

THE KENTUCKY AND LOUISVILLE MUTUAL INSURANCE COMPANY.

Report of the condition, progress and affairs of said Company, up to the 30th of November, 1846, inclusive, viz :

Amount insured, 715 policies, on real estate,	-	\$ 2,002,450 00
Amount insured, (23—11 expired—12,) on merchandise,	-	20,700 00
		<u>\$ 2,023,152 00</u>
Amount of premium notes,	-	\$ 121,139 15½
Deduct amount of premiums discharged by transfer of property and otherwise,	-	6,404 75
		<u>\$ 114,734 40½</u>

Received on premium notes, - - - - -	\$ 16,514 62½
Received for 738 policies, \$1 each, - - - - -	738 00
Received for premium on merchandise, - - - - -	825 12½
Received for dividends on bank stock, - - - - -	75 75
Due to agent, - - - - -	27
	<u>\$ 18,153 77</u>
Paid this amount of expense account, - - - - -	\$ 11,052 77
Paid this amount for losses, - - - - -	3,188 03
Paid this amount for commissions to agents, - - - - -	198 48
Paid this amount for stock in Bank of Kentucky, - - - - -	2,250 00
Due from agents, - - - - -	278 52½
Cash, balance, - - - - -	1,185 96½
	<u>\$ 18,153 77</u>

BALANCES.

DEBITS.

To bills receivable, - - - - -	\$ 98,422 77½
To cash, - - - - -	1,185 96½
To commission account, - - - - -	198 48
To expense account, - - - - -	11,052 77
To loss account, - - - - -	3,188 03
To stock in Bank of Kentucky, - - - - -	2,250 00
To agents accounts, - - - - -	278 52½
	<u>\$ 116,576 54½</u>

CREDITS.

By premium account, - - - - -	\$ 114,734 40½
By extra premium account, - - - - -	202 99
By premium on merchandise, - - - - -	825 12½
By policy account, - - - - -	738 00
By agent, - - - - -	27
By dividend on bank stock, - - - - -	75 75
	<u>\$ 116,576 54½</u>

At a meeting of the President and Directors of the Kentucky and Louisville Mutual Insurance Company, at their office in the city of Louisville, on the 10th day of December, 1846, the President of this Company, submitted to the Board, a statement of the condition, progress and affairs of this Company, which, after being read, examined and approved by the Board, was adopted; and the President is directed to furnish a copy of the same to the General Assembly of this State, agreeably to the requisitions of the 22d section of the charter of this Company.

OFFICE OF THE KY. AND LOUISVILLE MUTUAL INSURANCE CO. }
 Louisville, December 28, 1846. }

SIR:

In obedience to the requisition of the 22d section of the charter of this Company, and the order of the Board, I herewith transmit to you the foregoing report of the condition, progress and affairs of this Company, from the

commencement of their business up to and including the 30th November, 1846, and request that you will lay the same before the body over which you preside.

I have the honor to be,

Very respectfully, &c.,

WILLIS STEWART, *President.*

To the Hon. LESLIE COMBS,

Speaker of the House of Representatives.

Mr. Glenn read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of two from the Senate, and four from the House of Representatives, be appointed to examine Transylvania University and the Lunatic Asylum, and report the condition of each to the General Assembly; and that said committee have power to send for persons, papers and records.

Mr. Wade read and laid on the table the following preamble and resolutions, viz:

WHEREAS, there is a deep interest felt by the noble hearted people of this State, for the welfare of the volunteer soldiers of the United States of America, who were actuated by no other principles than the love of country, to leave their homes and peaceful occupations, and every thing that was near and dear to them by the ties of nature, and so nobly march to the battle field, where numbers have spilt their blood and lost their lives in fighting and achieving such glorious victories as that of Monterey and other places, without a murmur, and scarcely pay enough to keep them comfortable; and, whereas, we think their pay should be increased. Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators be instructed, and our Representatives in Congress requested, to vote and use their influence to increase the pay of the non-commissioned officers, musicians, and privates, who have volunteered to serve (or may hereafter volunteer,) during the Mexican war.

Resolved, That the Governor be and he is hereby requested to forward to each of our Senators and Representatives in Congress a copy of the foregoing resolutions.

The rule of the House requiring joint resolutions to lay one day on the table having been dispensed with, they were twice read and concurred in.

On motion of Mr. Hobbs,

Resolved, That the Speaker request the Ministers of the Gospel, residing in Frankfort, to alternate with each other in opening the House daily by prayer to Almighty God.

Mr. English read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on the 23d instant, they will adjourn *sine die*.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Williams—1. A bill to alter and modify the act approved the 2d day of February, 1833, prohibiting the importation of slaves into this Commonwealth.

On the motion of Mr. Graves—2. A bill to take the sense of the people of Kentucky, as to the propriety of calling a convention to revise and amend the constitution.

On the motion of Mr. Thompson—3. A bill to change the time of holding the spring term of the Jessamine circuit court.

On the motion of Mr. Wortham—4. A bill to repeal the law approved February 23d, 1846, better to protect the rights of married women.

On the motion of Mr. Waller—5. A bill to remove the seat of justice of Mason county, from Washington to Maysville.

On the motion of Mr. Armstrong—6. A bill to amend the law of descents.

On the motion of Mr. Young—7. A bill to amend the militia law.

On the motion of Mr. Proctor—8. A bill to change the time of holding the October and April terms of the Lewis county court.

On the motion of Mr. Wortham—9. A bill ordering the payment of the amount due Grayson and Edmonson counties, on the road leading from the mouth of Salt river to Bowlinggreen.

On the motion of Mr. A. G. Botts—10. A bill to abolish the benefit of clergy in criminal prosecutions.

On the motion of Mr. Hanson—11. A bill to change the time of holding the terms of the Court of Appeals.

On the motion of Mr. Armstrong—12. A bill to establish the town of Rollington, in Oldham county.

On the motion of Mr. Stevenson—13. A bill to incorporate the Licking Valley and Lexington Railroad Company.

On the motion of Mr. Hobbs—14. A bill to amend the charter of the Louisville Savings Institution.

On the motion of Mr. Munford—15. A bill to regulate the tare on sugar barrels.

On the motion of Mr. Owens—16. A bill to establish the town of Lairsville, in the county of Russell.

On the motion of Mr. W. S. Botts—17. A bill for the benefit of Mrs. Nancy Cox.

On the motion of Mr. Wheeler—18. A bill to amend the road law in Pendleton county.

On the motion of Mr. Crockett—19. A bill to amend the act incorporating the town of Blandville, in Ballard county.

On the motion of Mr. Waller—20. A bill to incorporate the town of East Maysville, in the county of Mason.

On the motion of Mr. Proctor—21. A bill to alter the manner of mustering in Lewis county.

On the motion of Mr. Haggard—22. A bill to amend the act incorporating the town of Burksville.

On the motion of Mr. Salter—23. A bill to take the depositions of the officers of the Lunatic Asylum.

On the motion of Mr. D. Irvine—24. A bill to change the name of Stephen A. Red to that of Stephen A. Carver.

On the motion of Mr. Hager—25. A bill to change the time of holding the county court of Johnson county.

On the motion of Mr. Covington—26. A bill to change the time of holding the spring and fall terms of the Warren circuit court.

On the motion of Mr. Pearl—27. A bill to reduce the salaries of circuit judges and other officers of this Commonwealth.

On the motion of Mr. Wright—28. A bill to amend the act incorporating the town of Hickman, in Fulton county.

On the motion of Mr. Crawford—29. A bill to change the names of Sylvester and Rebecca Patton to that of Sylvester and Rebecca Stafford.

On the motion of Mr. Proctor—30. A bill for the benefit of Charles Cains, late sheriff of Lewis county.

On the motion of Mr. Pearl—31. A bill to exempt the citizens of Laurel and Rockcastle counties from paying toll on the Madison fork of the wilderness road.

On the motion of Mr. Steele—32. A bill to amend the laws on the subject of deeds of trust and mortgages.

On the motion of Mr. Ireland—33. A bill for the benefit of the clerk of the courts of Grant county.

On the motion of Mr. Bush—34. A bill to change the mode of taking the acknowledgment of deeds.

On the motion of Mr. Wade—35. A bill to change the name of Eliza Summers to that of Eliza Lee.

On the motion of Mr. Crockett—36. A bill to amend the act, entitled, an act to regulate the administration and settlement of estates, approved February 20, 1837.

On the motion of Mr. Smith—37. A bill to regulate elections in this Commonwealth.

On the motion of Mr. D. Irvine—38. A bill to amend the law in relation to Trustees of towns in this Commonwealth.

On the motion of Mr. White—39. A bill to regulate the weighing of salt shipped from Goose Creek Salt Works.

On the motion of Mr. Ovelsby—40. A bill to change the name of James P. Conkin to that of James P. Hagan.

On the motion of Mr. Covington—41. A bill for the benefit of Henry G. Mitchell and others.

On the motion of Mr. Cobb—42. A bill to amend the militia law of this Commonwealth.

Ordered, That Messrs. Williams, Covington and Glenn prepare and bring in the 1st; Messrs. Graves, Meriwether and Reed the 2d; Messrs. Thompson, Steele and Reed the 3d; Messrs. Wortham, Haggard, Bowman and Smith the 4th; Messrs. Waller, Stevenson, Mayhall, Smith, Alexander, Hanson and Proctor the 5th; Messrs. Armstrong, English and Morton the 6th; the committee on Military Affairs the 7th; Messrs. Proctor, Waller and W. S. Botts the 8th; Messrs. Wortham, Alexander, Brown and Moore the 9th; Messrs. A. G. Botts, McHenry and Page the 10th; Messrs. Hanson, Stevenson and Owens the 11th; Messrs. Armstrong, McHenry and Hobbs the 12th; Messrs. Stevenson, McArthur, Hanson, Desha and Wheeler the 13th; Messrs. Hobbs, Page, Meriwether and J. Irvine the 14th; Messrs. Munford, Young and Hord the 15th; Messrs. Owens, Haggard and Bell the 16th; Messrs. W. S. Botts, Phillips and Proctor the 17th; Messrs. Wheeler, Desha, Durbin and Ireland the 18th; Messrs. Crockett, Hanson and Wright the 19th; Messrs. Waller, W. S. Botts and Proctor the 20th; Messrs. Proctor, Waller, and Evans the 21st; Messrs. Haggard, Owens and Williams the 22d; Messrs. Salter, Page and Pearl the 23d; Messrs. D. Irvine, White and Pearl the 24th; Messrs. Hager, Desha and Haggard the 25th; Messrs. Covington, Mansfield and Rhea the 26th; Messrs. Pearl, Riddle and Wortham the 27th; Messrs. Wright, Crockett and Mayhall the 28th; Messrs. Crawford, W. S. Botts and Proctor the 29th; Messrs. Proctor, Evans and Crawford the 30th; Messrs. Pearl, Salter and D. Irvine the 31st; Messrs. Steele, Page, Reed and Meriwether the 32d; Messrs. Ireland, Desha and Durbin the 33d; Messrs. Bush, Hanson, Page and D. Irvine the 34th; Messrs. Wade, Meriwether and Johnson the 35th; Messrs. Crockett, Page and McHenry the 36th; Messrs. Smith, Bowman and Mayhall the 37th; Messrs. D. Irvine, Hanson and W. S. Botts the 38th; Messrs. White, Cobb and Pearl the 39th; Messrs. Ogelsby, Haggard and Wright the 40th; Messrs. Covington, Mansfield and Hoy the 41st, and Messrs. Cobb, White and Pearl the 42d.

Mr. D. Irvine moved the following resolution, viz:

Resolved, That all petitions for divorce be referred to the committee on Religion, with instructions to report against such cases, as the courts of justice in this Commonwealth have jurisdiction to grant relief.

Mr. Armstrong moved the following as a substitute for said resolution, viz:

That the committee on Religion be instructed to report unfavorably in all applications for divorce, where the case presents questions of law or fact properly cognizable before a court of justice.

Mr. Wortham moved to lay the said resolution and substitute on the table. And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. Irvine and Salter, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Bell,	Jordan,	Pearl,
Board,	Mansfield,	Smith,
Clarke,	Mayhall,	Towles,
Haggard,	McCallister,	Wheeler,
Harrison,	Morton,	White,
Ireland,	Ogelsby,	Wortham—20.
Jones, W. L.	Owens,	

Those who voted in the negative, were—

Mr. Speaker,	Fletcher,	Phillips,
Messrs. Abell,	Foley,	Proctor,
Alexander,	Gilbert,	Purdom,
Alnut,	Glenn,	Reed,
Armstrong,	Graves,	Rhea,
Beeler,	Hager,	Riddle,
Botts, A. G.	Hall,	Rouse,
Botts, W. S.	Hanson,	Salter,
Bowman,	Hay,	Soery,
Bowmar,	Hobbs,	Spalding,
Boyd,	Hord,	Spurr,
Bradford,	Hoy,	Steele,
Brown,	Irvine, D.	Stevens,
Bush,	Irvin, J.	Stevenson,
Cobb,	Johnston,	Stewart,
Coleman,	Jones, J. R.	Talbutt,
Crawford,	Marshall,	Tandy,
Crockett,	Martin,	Thomas,
Covington,	Mays,	Thompson,
Dasha,	McArthur,	Vertress,
Devereux,	McHenry,	Wade,
Dickerson,	Meriwether,	Walker,
Durbin,	Mitchell,	Waller,
Elliott, J.	Moore,	Williams,
Elliott, M.	Munford,	Wright,
English,	Page,	Young—79.
Evans,		

The question was then taken on the adoption of the substitute proposed by Mr. Armstrong, and it was decided in the negative.

The said resolution was then twice read and adopted.

A message was received from the Governor by Mr. Kinhead.

Mr. Speaker: I am directed by the Governor to lay before this House a message in writing.

The said message was then taken up and read as follows, viz:

*Gentlemen of the Senate,
and House of Representatives:*

I avail myself of the present occasion to perform a duty required of the Governor by the constitution, to give to the General Assembly information of the state of the Commonwealth. But I should omit a still higher duty were I not, at the same time, to call to mind our dependence on the Supreme Ruler of the Universe, acknowledge the obligations we are under to him for the numerous blessings which he has been pleased graciously to bestow upon our State and people, and implore his assistance that our deliberations may be conducted in wisdom and our labors terminated beneficially to the community.

The Reports of the First and Second Auditors and Treasurer will make you acquainted with the fiscal transactions of the past year, and with the demands which will likely fall upon the Treasury in the present year. You will discover that after paying all demands upon the Treasury, there remained a balance of \$20,503 in the Treasury at the close of the year ending on the 10th October, 1846, and that there will probably be a balance of \$19,093 63 in the Treasury at the end of the present fiscal year, after paying the estimated demands upon it up to that time. The receipts of the Treasury for the year ending the 10th October, 1846, including \$33,444 36, which remained in the Treasury on the 10th October, 1845, amounted to \$428,810 35; and there was paid by the Treasury in the same year, \$408,307 35. The estimated receipts of the Treasury for the fiscal year ending the 10th October, 1847, amount to \$388,997 15, and it is expected that the demands upon the Treasury for the same year will amount to \$369,903 63. These estimates may not prove to be entirely correct, but from the known accuracy and long experience of the Second Auditor, by whom they were made, we have reason to rely upon their being sufficiently accurate to obviate any necessity for increased taxation to meet the ordinary expenditures of Government for the present year.

In my last annual message, I took occasion to allude to the imperfect manner in which the duties of the Commissioners of Tax had been performed, and expressed the opinion, that by a more accurate and faithful discharge of their duty, the amount of tax would be considerably increased on the property required to be listed by them. The correctness of the opinion then expressed is more fully confirmed by the present Report of the Second Auditor. It now appears that there is an actual increase of a fraction above six per centum in the tax receivable on property listed by the Commissioners of Tax in the year 1846 above what it was on property listed in the preceding year; and no reason for the increase is perceived, unless it is supposed the duties of the Commissioners were performed in 1846 with more accuracy and fidelity than in the preceding year. But while this was doubt-

less the case, and whilst due credit is awarded to such Commissioners as have faithfully performed their duty, I feel constrained to believe, from an inspection of the present Report of the Auditor, that part of the Commissioners have again failed to discharge correctly the duties which, by law, should have been performed in 1846. I must therefore again submit to the wisdom of the General Assembly whether means may not and ought not to be adopted to correct the evil, and effectually guard against the recurrence of like abuses in future.

But in connection with the subject of revenue, my attention has been directed to the Sheriffs who were entrusted with the collection of the revenue for the year 1845; and although part of them failed to account therefor by the time fixed by law, yet all of them did what never before had been accomplished by every collector in any preceding year, and set an example worthy of high commendation, by accounting fully and paying into the Treasury the revenue for which they were respectively liable before the close of the fiscal year ending on the 10th October, 1846.

Reference was also made in my last message to the gratifying fact that in the preceding year, for the first time since the State embarked in works of internal improvement, the debt of the State was diminished several thousand dollars. After deducting payments previously made, there remained then outstanding against the State a debt of \$4,409,456, besides a debt of \$250,000, the interest of which is payable by the Northern Bank of Kentucky; making an aggregate funded debt against the State of \$4,659,456. Since then, payments have been made to the amount of \$81,430, and new liabilities created to the amount of \$18,000, but resulting in a further actual diminution of the debt \$63,430.

Payments were made,

To the Bank of Louisville,	-	-	-	-	\$ 30,000
In redemption of six year bonds,	-	-	-	-	50,800
In redemption of certificates or scrip of the Northern Bank of Kentucky,	-	-	-	-	630
Total amount of payments,	-	-	-	-	\$ 81,430

New liabilities were created,

By 6 per cent. thirty year bonds sold in exchange and for the redemption of six year bonds,	-	-	-	\$ 15,000
By receipt of money of Craddock Fund,	-	-	-	3,000
Amount of new liabilities,	-	-	-	\$ 18,000

This latter sum deducted from the aggregate amount of payments, leaves a balance of \$63,430, which constitutes the actual diminution of the State debt in the year just ended; and when taken from that debt, shows the entire funded debt of the State, at present, to be \$4,596,026.

This debt is composed of the following items:

5 per cent. bonds, redeemable at the pleasure of the State, at any time within six years after the expiration of the charter of the Northern Bank of Kentucky, - - - - -	\$ 250,000
5 per cent. bonds, payable 35 years after date, - - - - -	165,000
5 per cent. bonds, payable 30 years after date, - - - - -	450,000
6 per cent. bonds, payable 30 years after date, - - - - -	3,594,000
6 per cent. bonds, payable 6 years after date, - - - - -	49,600
6 per cent. bonds, (for repair of Railroad,) payable 6 years after date, - - - - -	84,000
Railroad and Internal Improvement scrip issued by the Northern Bank of Kentucky, and redeemable by the State, - - - - -	426
Money received of Craddock Fund, - - - - -	3,000

Total amount of debt, - - - - - \$4,596,026

But, as remarked in my last annual message, the State is in possession of means by which part of this debt may be paid without burthening the people with taxation. The State now holds, as she then held, in her own name,

7,000 shares of stock in the Bank of Kentucky, \$ 700,000

2,500 shares of stock in the Northern Bank of Kentucky, 250,000

And in the name of the Commissioners of the Sinking Fund,

400 shares of stock in the Northern Bank of Kentucky, 40,000

406 shares of stock in the Bank of Louisville, - - 40,600

2,399 shares of stock in the Bank of Kentucky, - - 239,900

Total amount of Bank stock, - - - \$1,270,500

This sum deducted from the amount of debt, as stated, leaves \$3,325,526, which may be considered as the actual burthen of debt on the State.

The means appointed by law for that purpose, have enabled the Commissioners of the Sinking Fund not only to diminish the State debt, as above stated, \$63,430, but also to discharge promptly the interest of the entire debt for the past year, as it became payable; and I entertain entire confidence as to the sufficiency of the means to pay the interest as it accrues and becomes payable, in future. The receipts for the past year have come fully up to the anticipations of the Commissioners, in their last annual Report, and there is no reason to fear that they will be diminished in future. The Reports of the First Auditor and Commissioners of the Sinking Fund will put you in possession of detailed statements as to the receipts, expenditures, and transactions of the Commissioners for the year just ended, and also, the anticipated receipts and expenditures for the present year.

There was received from the Kentucky River Navigation, for the year ending the 10th of October, 1846, \$11,929 33 more than had been received from the same source, for the preceding year; and there was received from Turnpike roads, for the year ending 10th October, 1846, \$3,828 24 more than

had been received from those roads the preceding year. The receipts from the Kentucky River Navigation, for the year ending the 10th October, 1845, amounted, after deducting expenses, to \$17,244 15; and the receipts from that navigation, for the year ending the 10th October, 1846, after deducting expenses, amounts to \$29,173 58. The receipts from Turnpike roads, for the year ending the 10th October, 1845, amounted to \$24,869 41; and the receipts from the same source, for the year ending 10th October, 1846, amount to \$28,697 65. The receipts from the Green and Barren River Navigation, for the year ending the 10th October, 1846, after deducting expenses, amount to \$4,227 13; nothing was received from that source for the year ending the 10th October, 1845. As to the amount which may probably be brought into the Sinking Fund in future, from the river navigations, I refer you to the report of the Board of Internal Improvements, under whose management and control those navigations are placed by law, and who must be presumed to possess more correct information on the subject. But as to all other resources of the Sinking Fund, I entertain entire confidence, that they will bring into the Sinking Fund, during the present fiscal year, as much as was received from those sources in the year ending the 10th October last.

It must be a source of unalloyed gratification to witness the highly flattering condition to which the Sinking Fund has been brought in the past year. Never before, since the organization of the Board of Commissioners, was the business transacted in any year without suffering cost for exchange or interest on advances, in anticipation of the means of the Fund, and frequently for both. The Board has been organized nine years, and in that time \$57,762 07 was paid for exchange and interest, on anticipated advances, making an average annual cost of \$6,195 78; but in the year just ended no cost was incurred, either for exchange or for interest, on anticipated advances. The means of the Sinking Fund enabled the Commissioners to meet promptly the instalments of interest on the State debt; and under the act of the last General Assembly, they so managed their means as to incur no cost for exchange, in placing, in the city of New York, money sufficient to meet the instalments of interest payable at that place, the first Monday in July, 1846, and the first Monday in January, 1847. Relieved from these burthens, the business of the Sinking Fund may in future be transacted, and its means transmitted and applied to their appropriate purposes, with comparatively inconsiderable cost. And what is still more, we may rely with confidence on the sufficiency of the means of the Fund, if not withdrawn, or diverted from their purpose, to extinguish, from time to time, as it becomes payable, the entire interest of the funded debt of the State.

Among all the grave subjects of legislation, which may come up before you, I know of none of more importance to the people of the State, or more

worthy of your enlightened consideration, than our Common School system. This is a trite subject in our State, and from long hearing the words the mind is apt to turn away with a sort of aversion at their mention. It has become almost a stereotype part of messages—a reference to the Common School system, and a kindly recommendation of it to the good will of the Legislature. The charge has too often been politely received and acknowledged and then neglected.

Why it is that the education of the youth of the land, the duty of which is so high and imperative, has so languished in Kentucky, is not now to be investigated. It is enough for us to know that the fact exists. It is enough for us to know that Kentucky has been far outstripped in this noblest work that can engage the wisdom and energies of a Commonwealth; that while younger and poorer States have achieved noble results in their efforts to rear up all their youth into educated intelligent citizens, our State has idly slept by her work, and permitted the weeds of ignorance to grow unchecked within her borders.

The sad fact is no longer to be concealed that our Common School system is altogether barren—that it produces no fruit commensurate with the wants of the people. The only thing we have to show, as the result of years of legislation and flattering debate, is a *law on the statute book*. Why is this so? It cannot be that there is anything in our soil, climate, or people, inimical to schools and education. It cannot be that the State is pleased with the astounding extent of ignorance within her borders, that is exhibited by each successive census. It certainly cannot be that our people have quietly acquiesced in the charge daily and tauntingly made against slave holding States, by abolition presses, that “no system of general education can flourish in a slave State.” These conclusions we all indignantly spurn.

If I may be indulged, I will endeavor to express briefly what ~~is~~ to be the chief wants of our system, and without which it can never succeed:

First, it is assumed that *ample means* are indispensably necessary to carry on a system of Common Schools. No system can ever succeed, nay, no system can ever fairly commence, without adequate means to sustain it. Governments are conducted only by immense revenues. The waging of war requires millions of money. Even the benevolent objects of christianity have to be urged forward by immense contributions of its professors. And if in these latter, how much more in the less exciting work of education, is the agency of abundant means necessary.

The young State of Michigan, just starting, as it were, in life, spends annually about \$90,000 for school purposes. Her schools are flourishing, and no complaint is heard. Kentucky spent last year about \$7,000 on Common Schools. Our schools are languishing, and the whole State murmurs at the inefficiency of the system. No comment on these facts is necessary.

The sum of \$90,000 a year, it is thought, would not fail to set our Common School system in active operation throughout the State. Nothing but money will do it, and it is left to the appropriate department—the legislative—to determine on the expediency or in expediency of raising it.

Another defect, as I conceive, in our system, is in the manner of disbursing the school money among the people. The plan pursued in the State of New York seems to be the most successful one known. It is there required that only *one-half* of the money used in support of schools be raised by the State; the citizens of school districts are required to raise the balance by a regular district levy, each district raising an amount equal to its apportionment from the State, and not being entitled to receive its share until this tax is levied, proper exemptions being made in favor of indigent persons. On the supposition that \$90,000 were annually used in this State, in support of schools, \$45,000 would be the amount to be raised by the State; to raise this sum a tax of two per cent. would be amply sufficient.

The advantages of this plan would be, *first*, its voluntary principle, giving the people of each district the privilege of taxing, or not taxing, themselves, as they desired or refused schools: *second*, in case they have schools it will secure much more vigilance and care in the disbursement of the school money than would otherwise be had. Though we have this plan, in part, in our present system, it can be much improved upon, and rendered more effective.

Another feature that is deemed essential to the success of any system is this, that whenever a school district refuses to assess itself for a sum equal to its distributive share from the State, the share shall go back to the principal fund, to be distributed with it, to those districts adopting the system. A wise limitation should be made which, while it would insure a most adequate bonus to the immediate adoption of Common Schools, would nevertheless prevent unnecessarily large distributions to particular counties, if a large number should refuse the system. The object of this provision would be to force, by the strongest incentives, the adoption of the system by every district. If it be urged by any that it would be unjust thus to forfeit a district's share, a sufficient answer is given by replying that there would be no probability of more than one year's forfeiture ever taking place in a district, for there would be no district whose citizens would rest satisfied with no money, and no school, while their more active neighbors, in adjoining districts, were receiving from \$50 to \$100 a year from the State, for their schools; finding themselves thus situated, every district would quickly embrace the terms of the law. On the other hand, if the shares of neglectful districts should be placed to their credit, whether they adopted schools or not, it would only encourage them in the indifference and inaction which it should be our object to overcome. The regulations of the State of New York, in

all these respects, are admirable, and I will gladly exhibit the details of their eminently successful system, to any gentlemen of the Legislature who may wish to become further acquainted therewith.

Schools for the proper education of teachers, both male and female, to supply the great demand that an extensive adoption of the system would create, would be very desirable. In a perfect system it is indeed indispensable. Such schools, known as Normal Schools, are in successful operation in other States, but I do not advise their immediate introduction in Kentucky. The place of such schools can be partially supplied by colleges, and I am happy to say that the Faculty of three of the principal colleges in the State have expressed their entire approbation, and promised their co-operation in a plan for this purpose, submitted to their consideration. No doubt is entertained but that the others will be equally willing to join in the plan if it can be perfected. These arrangements would pave the way for the introduction of Normal Schools, under better auspices, and with more intelligence on the subject, than we now possess. A perfect system must be the work of years, and we need not try to embrace everything that is desirable at once. We will make more progress by reforming steadily and gradually the system we have.

After my extended remarks on this subject, I need not assure you that I shall be most happy to co-operate with you in any measure you may devise for commencing in earnest the noble work of education in Kentucky. Surely there is no work more worthy of the time, talents, and labor of a patriot—none more calculated to bring honor and fame to a statesman's brow. Kentucky has once and again solemnly pledged her faith for the education of all her youth. It is for the Legislature to say whether the sacred pledge is ever to be redeemed—whether the minds of the neglected children of the State are ever to be illuminated, and taught to know a condition of happiness in life unshackled by the bonds of poverty, and undimmed by the mists of ignorance.

In connection with this subject, I will inform the Legislature that I have received a communication from the Trustees of the Deaf and Dumb Asylum of Kentucky, advising me that, notwithstanding the Legislature last winter made provision for an increased number of pupils, there are now in the Institution four pupils beyond the number provided for by law. I transmit, herewith, a copy of the letter of the Trustees, explaining this fact, and asking that the provisions of the law be still further extended. It would certainly be difficult to satisfy the parents of any unfortunate deaf and dumb children that the State may justly provide for a part of such unfortunates, and not for all.

I recommend the passage of an act making more explicit the law applicable to crimes perpetrated by slaves. Legal gentlemen differ in respect to

the benefit of clergy. Some of our Circuit Judges entertain the opinion that the benefit of clergy has been long since abolished, and refuse to allow it to slaves in any case, whilst other Judges are of opinion that, though abolished as to freemen, the benefit of clergy has not been taken away entirely from slaves, and have allowed it to them in particular cases. The consequence is that slaves are made to suffer death for the commission of crimes, in some counties, when, for like crimes perpetrated in other counties, the punishment is greatly mitigated, and comparatively slight. This is painfully unjust and reproachful to the law. Without venturing an opinion upon a subject about which Judges differ so widely, it seems to me that if the benefit of clergy has not been altogether abolished there exists no good reason for retaining that antiquated appendage of the law. Should the punishment prescribed by law be too sanguinary, or not justly apportioned to the offence, it would, I think, be much better to change the punishment, by explicit enactment, than to leave it to be mitigated by the Judges, through the idle ceremony of a claim of the benefit of clergy.

I ought not to pass unnoticed some of the incidents of the past year, unusual in the ordinary action of the State Government, and in which it became my duty, as Governor, to act a part.

The United States had become involved in war with Mexico, a sister Republic. The calamity was great, and deeply to be deplored; but the Rubicon was passed, and it was too late to look back and wrangle as to the manner in which it was brought about. Our country needed assistance, and most willingly was assistance afforded. A call was made by the Government at Washington, upon Kentucky, for three Regiments of volunteers—one of mounted riflemen, and two of infantry—and each to be composed of ten companies. The requisition was received the 22d of May, but in anticipation of it I had previously, on the 17th of that month, issued a proclamation calling for the organization of volunteer companies, and before the 26th of May, companies for each regiment were organized, their services tendered and accepted by me, and one of the regiments, (the Louisville Legion,) actually embarked on steamers for the seat of war. There was a burst of patriotic feeling on the occasion, and a promptness in responding to the call of Government, worthy the sons of Kentucky, and for which they justly merit high commendation. Party strife gave way to the love of country, and the struggle to be first to tender their services, became common every where throughout the State. The dispatch was so great and unexpected that means were not provided by Government to pay the incidental and necessary expenses of the Legion. Unwilling that the service should be impeded, or the brave soldiers who had so promptly stepped forward at the call of their country, should suffer for the lack of necessary supplies, I did not hesitate to accept the tender, made to me by an association of patriotic citizens of Louisville,

of money adequate to pay the expenses and supply the wants of the Legion. But I am happy to inform you that the Government at Washington has since reimbursed the entire amount expended, and the accounts with those who advanced the money have been finally adjusted and closed.

I should do injustice to my feelings, were I not to express my high estimation of the services of Quartermaster General Ambrose W. Dudley, and Assistant Quartermaster, Col. William Preston, in bringing the accounts to such speedy and satisfactory adjustment. To the prudence, industry and skill of Gen. A. W. Dudley, in keeping the accounts of the State's expenditure, and managing his difficult and embarrassing department, this result is chiefly owing. Other States, less fortunate in this respect, are still involved with the department at Washington, over unsettled accounts for precisely similar expenditures.

The Commissioners who were appointed by an act of the last Legislature to audit and settle the accounts of the Board of Internal Improvement, have not performed that duty. The cause of their failure is made known by their Report, which is herewith transmitted to the General Assembly. The Commissioners being appointed during the year 1846 only, their authority to act has of course terminated, and the contemplated settlement cannot be accomplished without further legislation.

Soon after the adjournment of the last General Assembly, and in compliance with the 7th section of an act, approved 23d February, 1846, I appointed Wm. F. Bullock, Orlando Brown and F. T. Fox, Esqs., Commissioners to select some eligible location in the Green River country, or Southern portion of the State, for the erection of a Lunatic Asylum. Messrs. Bullock and Fox afterwards resigned their stations, and their places were supplied by commissioning Pierce Butler and John Barkley, Esqs. These two latter gentlemen, in conjunction with Orlando Brown, Esq., have been engaged in the duty assigned them, and will doubtless report to the present General Assembly.

The building intended for the reception of females sentenced to the Penitentiary and which was in progress of construction at the close of the last session of the General Assembly, has been completed, in fulfilment of the contract made with the keepers for the erection of buildings in the Penitentiary, under the act of 10th February, 1845.

Under an act of the 23d of February, 1846, and in conformity therewith, I purchased for the Commonwealth, from A. P. Cox, the lot of ground adjoining the Penitentiary, at the price of \$4,000, and paid him the purchase money, and received his conveyance of the title to the Commonwealth. Since then, the walls of the Penitentiary have been extended around the lot so purchased, under a contract made by the Commissioners of the Sinking Fund with the keepers, for the extension of the wall and the erection of

new buildings, &c., designated in said act. The work on the wall has been faithfully executed, but the other buildings, &c., have not been erected, nor was it contemplated in the contract that they would be, until the next season for building.

The extension of the wall adds much to the convenience of the institution, and I entertain a confident hope, will contribute greatly to the comfort and health of the inmates. In the past year, there has been one escape from the Penitentiary, and one death. The general health of the inmates is at present good. Their number, on the 1st of December, 1846, was one hundred and eighty-seven—exceeding the number in the institution on the 1st of December, 1845, by eleven. The keepers have sustained loss by the institution the last two years, and I doubt whether they will realize any profit the present year. The low prices of bagging and rope, the manufacturing of which constitute the principal business of the institution, render it altogether improbable that much, if any, profit can be realized by the keepers, after paying the annual profit of \$5,000, which they have guarantied to the State. The Report of the keepers will give you more detailed information as to the condition of the institution.

I herewith transmit Resolutions of the State of New Hampshire, on various subjects, forwarded to me to be laid before you.

Brought together for a common purpose, I indulge the hope that the public good will be the controlling consideration in whatever may engage your attention: and in the furtherance of this, I promise you my cordial co-operation and aid.

WILLIAM OWSLEY.

JANUARY 1, 1847.

On motion of Mr. Brown,

Ordered, That the Public Printer forthwith print 5000 copies of said message for the use of the members of this House.

And then the House adjourned.

SATURDAY, JANUARY 2, 1847.

1. Mr. Morton presented the petition of Gilbert Clift, praying that Artemesa-Jones and James Jones, infant children, who have been adopted by him, may be legitimatized.

2. Also, the petition of George Whitzell, praying to be divorced from his wife, Huldah Whitzell.

3. Mr. Graves presented the petition of Richard Darnell, praying a change of venue in a criminal prosecution now pending against him in the Larue circuit court, for felony.

4. Mr. Hager presented the petition of sundry citizens of Morgan county, praying to be added to the county of Johnson.

5. Mr. Spalding presented the petition of the administratrix, with the will annexed, of Thomas McMurry, deceased, praying the passage of a law authorizing the sale of a part of the real estate of said deceased, for the purpose of paying his debts.

6. Also, the remonstrance of David H. Neil and others, against the granting of the prayer of the petition of the administratrix, with the will annexed, of Thomas McMurry, deceased, for a sale of a part of the real estate of said deceased, to pay his debts.

7. Mr. D. Irvine presented the petition of Samuel T. Crews, praying that he be permitted to bring into, and make sale of, a slave in this State.

8. Mr. Owens presented the petition of James Jackman, praying to be divorced from his wife, Ann Jackman.

9. Mr. Reed presented the petition of Anderson R. Murray, praying to be divorced from his wife, Harriet L. Murray.

10. Mr. Bush presented the petition of sundry citizens of Clarke county, praying the passage of a law authorizing the county court to levy, annually, a sum to pay for patrollers in said county.

11. Mr. Wright presented the petition of Charles H. Smith, praying a change of venue in a prosecution now pending against him in the Fulton circuit court, for murder.

12. Mr. Glenn presented the petition of John Driskill, praying the passage of a law authorizing the sale of certain real estate, belonging to his infant children.

13. Mr. Ireland presented the petition of Samuel Rogers, praying the passage of a law permitting him to erect a mill dam on ten mile creek, in Grant county.

14. Mr. Hay presented the petition of sundry citizens of Muhlenburg county, praying that an additional Justice of the Peace be allowed to said county,

15. Mr. W. L. Jones presented the petition of William Long, guardian for his infant daughter, Ann Elizabeth Long, praying the passage of a law authorizing a sale of certain real estate, belonging to his ward.

16. Mr. Waller presented the petition of sundry citizens of Mason county, praying the removal of the county seat of said county, from Washington to Maysville.

Which were received, the reading dispensed with, and referred—the 1st, 3d, 5th, 6th, 7th, 11th, 12th, 14th and 15th to the committee on the Judi-

ciary; the 2d, 8th and 9th to the committee on Religion, and the 4th, 10th, 13th and 16th to the committee on Propositions and Grievances.

The Speaker laid before the House the annual report of the Treasurer, which is as follows, viz:

TREASURY OFFICE, January 1, 1847.

SIR: Please lay before the House, over which you preside, the annual report of this Department.

Very respectfully,

JAMES DAVIDSON, *Treasurer.*

To the Hon. LESLIE COMBS,

Speaker of the House of Representatives.

[For Report—see *Legislative Documents.*]

The Speaker laid before the House the annual report of the First Auditor of Public Accounts, which is as follows, viz:

STATE OF KENTUCKY, AUDITOR'S OFFICE,
January 2, 1847. }

SIR: I herewith enclose to you the annual report from this Department.

I am sir, respectfully.

H. I. BODLEY, *Auditor.*

To the Hon. LESLIE COMBS,

Speaker of the House of Representatives.

[For Report—see *Legislative Documents.*]

The Speaker laid before the House the annual report of the Second Auditor of Public Accounts, which is as follows, viz:

REVENUE DEPARTMENT, AUDITOR'S OFFICE, KY.
Frankfort, January 2, 1847. }

SIR: I herewith enclose the annual report from this Department.

I am, very respectfully,

THO. S. PAGE, *2d Auditor.*

To the Hon. LESLIE COMBS,

Speaker of the House of Representatives.

[For Report—see *Legislative Documents.*]

The Speaker laid before the House the report of the Visitors of the Penitentiary, which is as follows, viz:

[For Report—see *Legislative Documents.*]

The Speaker laid before the House the annual report of the President of the Board of Internal Improvement, which is as follows, viz:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
January 2, 1847. }

In pursuance of the provisions of an act, entitled, "an act concerning the Public Printing," approved February 23, 1846, I have the honor respectfully to inform you that the annual report of the Board of Internal Im-

provement has been printed, and that copies thereof will this day be laid on the table of each Representative.

Your obedient servant.

THOMAS METCALFE, P. B. I. I.

To the Hon. LESLIE COMBS,

Speaker of the House of Representatives.

[For Report—see *Legislative Documents.*]

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Thompson—1. A bill to change the time of holding the spring term of the Jessamine circuit court.

By Mr. Wortham—2. A bill to repeal the act, entitled, an act the better to protect the rights of married women, approved February, 1846.

By Mr. Waller—3. A bill to remove the seat of justice of the county of Mason, from the town of Washington to the city of Maysville.

By Mr. Armstrong—4. A bill to establish the town of Rollington, in Oldham county.

By Mr. D. Irvine—5. A bill to change the name of Stephen A. Red to that of Stephen A. Carver.

By Mr. Armstrong 6.—A bill to amend the law of descents.

By Mr. White—7. A bill to regulate the weighing of salt shipped from Goose Creek Salt Works.

By Mr. D. Irvine—8. A bill to amend the law in relation to the trustees of towns.

By Mr. Haggard—9. A bill to change the time of holding the county court of Johnson.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st 4th 5th and 9th were severally ordered to be engrossed and read a third time; the 2d, 6th and 8th were referred to the committee on the Judiciary; the 3d to the committee on Propositions and Grievances, and the 7th to the committee on Agriculture and Manufactures.

The rule of the House, constitutional provision and third reading of the 1st, 4th 5th and 9th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Graves, from the committee who were appointed to prepare and bring in the same, reported a bill to take the sense of the people as to the propriety of calling a convention, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Williams moved an amendment to said bill.

Ordered, That said bill and amendment be referred to a committee of the whole House for Monday next.

A message was received from the Senate, announcing the passage of a bill, entitled, an act to extend the time for the Judge of the 19th Judicial District to remove into his district, which was read the first time, and ordered to be read a second.

The rule of the House, constitutional provision and second and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Waller,

Ordered, That Lewis Collins, Editor of the Maysville Eagle, R. J. Baldwin, and the Editor of the Danville Tribune, be permitted to take seats in this House for the purpose of reporting its proceedings.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Hanson—1. A bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10, 1843.

On the motion of Mr. Munford—2. A bill to change the name of Polixna McDaniel to that of Polixna Hall.

On the motion of Mr. Young—3. A bill to authorize the county court of Barren county to have the records of the late surveyor of said county transcribed.

On the motion of Mr. Smith—4. A bill to amend the execution laws.

On the motion of Mr. Fletcher—5. A bill to incorporate the Sharpsburg Male and Female Academy.

On the motion of Mr. Crockett—6. A bill to amend the 57th section of an act, entitled, an act to reduce into one the several acts concerning wills, the distribution of intestate's estates, and the duty of executors and administrators, approved February 24, 1797.

On the motion of Mr. McArthur—7. A bill to amend the charter of the town of Newport, in Campbell county.

On the motion of Mr. Tandy—8. A bill granting a free passage over the dam at lock No. 1, in time of high water.

On the motion of Mr. Haggard—9. A bill further to protect the interest of wool growers in this Commonwealth.

On the motion of Mr. Coleman—10. A bill to change the name of William Coffield and Rebecca M. Wommack.

On the motion of Mr. Devereux—11. A bill for the benefit of Benjamin Paine.

On the motion of Mr. Riddle—12. A bill for the benefit of the sheriff of Estill county.

On the motion of Mr. Reed—13. A bill to amend the charter of the town of Frankfort.

On the motion of Mr. Board—14. A bill to increase the jurisdiction of Justices of the Peace of this Commonwealth.

On the motion of Mr. Ireland—15. A bill for the benefit of Andrew S. Linn.

On the motion of Mr. Towles—16. A bill to allow an additional Justice of the Peace to Green county.

On the motion of Mr. Mayhall—17. A bill to amend the law on the subject of the weight of grain.

On the motion of same—18. A bill to amend the execution law of 1828, on the subject of landlord and tenant.

On the motion of same—19. A bill for the benefit of invalid pensioners in this Commonwealth.

On the motion of Mr. Marshall—20. A bill for the purpose of reducing the tolls on the Kentucky river.

On the motion of Mr. Desha—21. A bill to amend the execution laws.

On the motion of Mr. Durbin—22. A bill to publish the laws of this State of a general character, hereafter enacted, for the purpose of general distribution.

On the motion of Mr. Hobbs—23. A bill for the benefit of the estate of John D. Locke, a lunatic.

On the motion of Mr. Stevenson—24. A bill to amend the revenue laws of this Commonwealth.

On motion of same—25. A bill to amend the road law of Kenton county.

On the motion of same—26. A bill to amend the charter of the Bank Lick Turnpike Company.

On the motion of Mr. Pearl—27. A bill to amend the penal laws of this Commonwealth.

On the motion of Mr. Proctor—28. A bill to amend the law authorizing the county court of Lewis to levy a sum for the benefit of Daniel Oneal and Sarah Graham, approved January 29, 1846.

On the motion of same—29. A bill to amend the road law of Lewis county.

On the motion of same—30. A bill to allow two additional Justices of the Peace to Lewis county, who shall reside within the town of Clarksburg, or within one mile thereof, and whose offices shall become vacated upon their removal from said limits.

On the motion of Mr. Rhea—31. A bill to increase the liabilities of the securities of sheriffs and their deputies.

On the motion of Mr. Boyd—32. A bill for the benefit of Richard Lewis.

On the motion of Mr. Hay—33. A bill to cut a race at Lock and Dam No. 3, on Green river.

On the motion of Mr. D. Irvine—34. A bill to amend the law in relation to executors, administrators, curators and guardians.

On the motion of same—35. A bill to amend the law regulating the tolls on the Kentucky River Navigation.

On the motion of Mr. Jordan—36. A bill to change the time of holding the Mercer county court.

On the motion of Mr. Graves—37. A bill to amend the law in regard to the weighing of salt.

On the motion of Mr. Waller—38. A bill for the benefit of Frances Gault.

On the motion of Mr. Alnut—39. A bill for the benefit of the present sheriff of Owen county, and for the benefit of W. G. Simpson, Howard Todd and H. H. Calvert, late deputy sheriffs of Owen county.

On the motion of Mr. Wheeler—40. A bill to run and mark the line between the counties of Pendleton and Campbell.

On the motion of Mr. Owens—41. A bill allowing John S. Page to sell certain property, in Russell county.

On the motion of Mr. Dickerson—42. A bill to change the time of holding the circuit courts, for the counties of Scott and Harrison.

On the motion of same—43. A bill to amend an act, entitled, an act for the benefit of Harrison Rankins, and his wife and children.

On the motion of Mr. Glenn—44. A bill to declare Whippoorwill a navigable stream.

On the motion of Mr. Steele—45. A bill for the benefit of Oscar Pepper, of Woodford county.

On the motion of Mr. Williams—46. A bill to repeal the law allowing pay for slaves executed.

On the motion of same—47. A bill for the benefit of James Coyle.

On the motion of Mr. Foley—48. A bill to change the names of Jacob McClung and Pleasant McClung to that of Jacob and Pleasant Calor, and legitimize them.

On the motion of the same—49. A bill to change an election precinct in Whitley county.

Ordered, That Messrs. Hanson, Bush and Munford prepare and bring in the 1st; Messrs. Munford, Hobbs, Hord and Young the 2d; Messrs. Young, Munford, Bush and Hobbs the 3d; Messrs. Smith, Wortham, Wright and Bowman the 4th; Messrs. Fletcher, Evans and Stevenson the 5th; Messrs. Crockett, Page and Hanson the 6th; Messrs. McArthur, Stevenson and Johnson the 7th; Messrs. Tandy, Thomas and English the 8th; Messrs.

Haggard, Williams and Bowman the 9th; Messrs. Coleman, Haggard and Smith the 10th; Messrs. Devereux, Rhea and Covington the 11th; Messrs. Riddle, Martin and Ireland the 12th; Messrs. Reed, Walker and Waller the 13th; Messrs. Board, Meriwether and Johnson the 14th; Messrs. Ireland, Stevenson and Dickerson the 15th; Messrs. Towles, Abell, Pyrdom and Graves the 16th; Messrs. Mayhall, Wright and Crockett the 17th, 18th and 19th; Messrs. Marshall, Page, Stevenson and Meriwether the 20th; Messrs. Desha, Mayhall, Brown and Durbin the 21st; Messrs. Durbin, Desha and Wheeler the 22d; Messrs. Hobbs, Page, Meriwether and Munford the 23d; Messrs. Stevenson, Hanson, Meriwether, Dickerson and Waller the 24th; Messrs. Stevenson, Rouse and McArthur the 25th; Messrs. Stevenson, Waller and Desha the 26th; Messrs. Pearl, Armstrong and Fletcher the 27th; Messrs. Proctor, Crawford and Thomas the 28th; Messrs. Proctor, Hanson and Waller the 29th; Messrs. Proctor, W. S. Botts and Talbutt the 30th; Messrs. Rhea, Devereux and Hay the 31st; Messrs. Boyd, Tandy and Ver-tress the 32d; Messrs. Hay, Glenn and Bell the 33d; Messrs. D. Irvine, Reed and Waller the 34th; Messrs. D. Irvine, Steele and Thompson the 35th; Messrs. Jordan, Williams and Hord the 36th; Messrs. Graves, Martin and Bell the 37th; the committee on Claims the 38th and 47th; Messrs. Al-nut, English and Ireland the 39th; Messrs. Wheeler, Stevenson, McArthur and Durbin the 40th; Messrs. Owens, Haggard and Williams the 41st; Messrs. Dickerson, Hanson and Reed the 42d; Messrs. Dickerson, Desha and McArthur the 43d; Messrs. Glenn, Rhea and Harrison the 44th; Messrs. Steele, Thompson and Reed the 45th; Messrs. Williams, Haggard, Owens and Bowman the 46th; Messrs. Foley, D. Irvine and Bowman the 48th, and Messrs. Foley, Pearl and Salter the 49th.

Mr. Glenn moved the following resolution, viz:

Resolved, That the committee on the Judiciary be requested to enquire into the propriety of so amending the law regulating the magistrates courts, as to prohibit any person from confessing judgment, except during term time.

Which was adopted.

The House took up the resolution read and laid on the table yesterday, by Mr. Glenn.

The said resolution was then amended, by adding, after "appointed" the words "by ballot"—and as amended was twice read and adopted.

The House then took up the resolution read and laid on the table yesterday, by Mr. English.

On motion of Mr. Haggard,

Ordered, That said resolution be laid on the table.

And then the House adjourned.

MONDAY, JANUARY 4, 1847.

1. Mr. Meriwether presented the petition of Charles Hayes, praying a change of venue in the prosecution pending against him in the Jefferson circuit court, for felony.

2. Mr. Waller presented the petition of sundry citizens of Mason county, praying the removal of the seat of justice of said county from Washington to Maysville.

3. Mr. White presented the petition of Milton Smith, and Sally Smith, his wife, praying to be divorced from each other.

4. Mr. Brown presented the petition of sundry citizens of Hardin, Bullitt, Jefferson and Meade counties, praying the establishment of a new county out of parts of said counties.

5. Mr. Ireland presented the petition of George S. Gravit, praying to be divorced from his wife, Nancy Gravit.

6. Mr. White presented the petition of John Cole, jailer of Clay county, praying that additional compensation be allowed him, for services rendered while Abner Baker was confined in the jail of said county.

7. Mr. Smith presented the petition of sundry citizens of the town of Lower Cloverport, praying that the same be incorporated.

8. Mr. A. G. Botts presented the petition of George W. Cox, praying a change of venue in the prosecution now pending in the Washington circuit court, for an assault with intent to kill.

9. Mr. Hay presented the petition of Azariah Doss, praying the passage of a law changing the name of James Thomas, to that of James Thomas Irvin.

10. Mr. Salter presented the petition of Elijah Elliott, praying to be divorced from his wife, Sarah Elliott.

11. Mr. Spalding presented the petition of Maria J. Shelby, praying to be divorced from her husband, Isaac M. Shelby.

12. Mr. White presented the petition of Isom Gambrel, praying to be divorced from his wife, Rachel Gambrel.

13. Mr. Owens presented the petition of John S. Page, trustee for John N. and Charles R. Page, praying the passage of a law authorizing the sale of certain real estate, held by him as trustee aforesaid.

14. Mr. Munford presented the petition of Virginia E. Franklin, praying to be divorced from her husband, Thomas Franklin.

15. Mr. Covington presented the petition of Thomas B. Justice, praying the passage of a law permitting him to retail spirituous liquors in Warren and Allen counties.

16. Mr. McArthur presented the petition of Coonrod Havens, praying that compensation be made him for keeping Lucy Bradford, a lunatic.

17. Mr. Spalding presented the petition of Thomas McMurray, James McMurray and William McMurray, praying the passage of a law authorizing a sale of part of the real estate of Thomas McMurray, deceased, to pay his debts.

18. Mr. A. G. Botts presented the petition of sundry citizens of Nelson county, praying the passage of a law authorizing a sale of the seminary and lot belonging to said county.

19. Mr. Mitchell presented the petition of Willis Russell, praying the passage of a law changing the name of Isabella Morton to that of Isabella Russell, and making her capable of inheriting his estate.

20. Also, the petition of James S. Gilkerson, praying the passage of a law authorizing a sale of certain property, belonging to Hugh Lynn Gilkerson, an idiot.

21. Mr. Covington presented the petition of William B. Hendrick, praying that certain tolls paid by him on flat boats passing Locks and Dams on Green river, be refunded him.

22. Mr. McArthur presented the petition of Jane Duddy, praying to be divorced from her husband, James Duddy.

23. Mr. Desha presented the petition of Amanda J. Miller, praying to be divorced from her husband, Henry B. Miller.

24. Mr. Munford presented the petition of George Carter, administrator of Benjamin Benedict, deceased, praying the passage of a law authorizing a sale of certain real estate of said deceased, to pay his debts.

25. Mr. Rouse presented the petition of William Goodridge, Sen., praying to be divorced from his wife, Emeline Goodridge.

26. Mr. Brown presented the petition of Lois Smallwood, praying that compensation be made her for taking care of Unice Smith, an idiot.

27. Mr. Soery presented the petition of sundry citizens of Trigg county, praying that James Cunningham be permitted to erect a mill dam across Little river.

28. Mr. Hager presented the petition of sundry citizens of Pike county, praying that the Louisa fork of Big Sandy river be declared a navigable stream, up to where the Virginia line crosses it.

29. Mr. Riddle presented the petition of Rutha Day, praying to be divorced from her husband, John Day.

Which were received, the reading dispensed with, and referred; the 1st, 8th, 13th, 17th, 20th and 24th to the committee on the Judiciary; the 2d, 4th, 6th and 15th to the committee on Propositions and Grievances; the 3d, 5th, 9th, 10th, 11th, 12th, 14th, 22d, 23d, 25th and 29th to the committee on Religion; the 7th to Messrs. Smith, Crockett and Wright; the 16th and

26th to the committee on Claims; the 18th to the committee on Education; the 19th to Messrs. Mitchell, Covington and Hord, and the 21st, 27th and 28th to the committee on Internal Improvement.

The Speaker laid before the House a report from the First Auditor, which is as follows, viz:

AUDITOR'S OFFICE, *January 4, 1847.*

SIR: I herewith enclose to you a copy of the list of State bonds and coupons, burned on the 28th December, 1846.

Respectfully,

H. I. BODLEY, *Auditor.*

To the HON. LESLIE COMBS,

Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

The Speaker laid before the House the report of the commissioners of Mason county, in relation to the vote of said county for the removal of the seat of justice.

Ordered, That a committee on Propositions and Grievances be appointed: and a committee was appointed, consisting of Messrs. Meriwether, Talbutt, Bush, Rouse, Spurr, Gilbert and Wright; who are to meet and adjourn from day to day, and take into consideration all Propositions and Grievances which may legally come before them, and all such matters as shall, from time to time, be referred to them, and report their proceedings to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Privileges and Elections be appointed: and a committee was appointed, consisting of Messrs. Wortham, Riddle, Martin, Hall, Bowmar, Stewart and Wheeler; who are to meet and adjourn from day to day, and take into consideration and examine all returns for members, returned to serve in this House during the present session of the General Assembly; and all questions concerning Privileges and Elections, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on claims be appointed; and a committee was appointed, consisting of Messrs. Brown, Hay, Ireland, Soery, J. Irvin, Thompson and Hord; who are to meet and adjourn from day to day, and take into consideration all Public Claims, and all other matters that may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on the Judiciary be appointed; and a committee was appointed, consisting of Messrs. McHenry, Reed, Mayhall,

Armstrong, Hanson, Crockett and Proctor; who are to meet and adjourn from day to day, and take into consideration all matters relating to Courts of Justice, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee are to inspect the Journal of the last session, and draw up a statement of the matters there pending and undetermined, and the progress made therein; also, examine what laws have expired since the last session, and inspect such temporary laws as will expire with this, or are now expiring, and report the same to this House, with their opinion thereon, which of them ought to be renewed and continued; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Religion be appointed: and a committee was appointed, consisting of Messrs. A. G. Botts, Steele, J. R. Jones, Johnston, Walker, Cobb and Young; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to Religion and Morality, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee of Ways and Means be appointed: and a committee was appointed, consisting of Messrs. Page, Harrison, Glenn, Crawford, Graves, Pearl and Abell; who are to meet and adjourn from day to day, and take into consideration the revenue laws of this Commonwealth, and all other matters relative to, or connected with the fiscal concerns thereof, and such other matters as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Internal Improvement be appointed: and a committee was appointed, consisting of Messrs. Stevenson, Hobbs, Covington, Fletcher, Salter, Alexander and Durbin; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to the improvement of the condition of the country by roads and canals, and such others as may legally come before them, or be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Education be appointed: and a committee was appointed, consisting of Messrs. Waller, White, Marshall, Dickerson, Vertress, Owens and Fletcher; who are to meet and adjourn from day to day, and take into consideration all matters relating to Education, and the subjects connected therewith, and such others as may from time to time be

referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Military Affairs be appointed: and a committee was appointed, consisting of Messrs. Desha, Young, Bell, Hager, Jordan, Bowman and Mansfield; who are to meet and adjourn from day to day, and take into consideration the militia laws of this State, and all matters in relation to the militia, and such others, as may from time to time be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on the Expenditures of the Board of Internal Improvement be appointed; and a committee was appointed, consisting of Messrs. Covington, Vertress, Wade, Moore, Spalding, Ogelsby and Alnut; who are to meet and adjourn from day to day, and take into consideration all matters relating to the expenditure of money by the Board of Internal Improvement, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on the Penitentiary be appointed: and a committee was appointed, consisting of Messrs. Mitchell, Munford, Tandy, Clarke, J. Elliott, Foley and Hoy; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Penitentiary, and such others as may, from time to time, be referred to them, and that they report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Agriculture and Manufactures be appointed: and a committee was appointed, consisting of Messrs. Haggard, Thomas, Bradford, McArthur, Boyd and J. Irvin; who are to meet and adjourn from day to day, and take into consideration all matters and things in relation to Agriculture and Manufactures, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on the Sinking Fund be appointed: and a committee was appointed, consisting of Messrs. Hobbs, Smith, M. Elliott, McCallister, W. L. Jones, Coleman and Mays; who are to meet and adjourn from day to day, and take into consideration all matters in relation to the Sinking Fund, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House;

and said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee on Banks be appointed: and a committee was appointed, consisting of Messrs. D. Irvine, White, Stevenson, Smith, Brown and Dickerson; who are to meet and adjourn from day to day, and take into consideration all matters in relation to Banks, and examine within the first thirty days of the session, the condition of all the Banks in the State, the amount of loans in the aggregate, and the proportion to the country, cities and towns, and the amount loaned to the Directors and their liabilities on bills of exchange; and the several amounts the fifty highest debtors owe in the cities; and enquire into, and report all facts necessary to a complete understanding of their management, and such other matters in relation thereto, as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on the Library be appointed: and a committee was appointed, consisting of Messrs. Alexander, Haggard, Board, Phillips and Morton; who are to meet and adjourn from day to day, and take into consideration all matters and things in relation to the Public Library, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Public Offices be appointed: and a committee was appointed, consisting of Messrs. W. S. Botts, Devereux, Purdom and English; who are to meet and adjourn from day to day, and take into consideration all matters and things in relation to the Public Offices, and examine into, and report their situation and condition, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Printing be appointed: and a committee was appointed, consisting of Messrs. Rhea, Stevens, Beeler and Thomas; whose duty it shall be to enquire into the manner in which the Public Printing is done, the accounts for printing particularly, and such other matters as may, from time to time, be referred to them by either House, and report as soon as practicable, what saving and improvement can be made, conducive to the public interest; and they shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Federal Relations be appointed: and a committee was appointed, consisting of Messrs. Williams, Evans, W. S. Botts,

Towles, Waller, Desha and Devereux ; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to Federal Relations; and such others as may, from time to time, be referred to them, and that they report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Enrollments be appointed: and a committee was appointed, consisting of Messrs, Munford, Rhea, Hord, Ogelsby and Wright.

Ordered, That Mr. Munford inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By Mr. Ireland—1. A bill for the benefit of William Smith, clerk of the Grant circuit and county courts, and William H. Evans, late sheriff of Grant county.

By Mr. W. S. Botts—2. A bill for the benefit of Mrs. Nancy Cox, of the county of Fleming.

By Mr. Proctor—3. A bill to change the time of holding the April and and October terms of the Lewis county court.

By Mr. Bush—4. A bill altering the mode of taking the acknowledgment of deeds.

By Mr. Hobbs—5. A bill to amend the charter of the Louisville Savings Institution.

By Mr. Devereux—6. A bill for the benefit of Benjamin Payne, of Daviess county.

By Mr. Wright—7. A bill to repeal, in part, and amend, in part, the several acts incorporating the town of Hickman, in Fulton county.

By Mr. Ogelsby—8. A bill to change the name of James P. Conkin, to James P. Hagan, and to legitimate him.

By Mr. Towles—9. A bill to allow an additional Justice of the Peace to Green county.

By Mr. Vertress—10. A bill for the benefit of Richard Buchannan and Benjamin Hyden.

By Mr. Munford—11. A bill for the benefit of Polixna McDaniel.

By Mr. Crockett—12. A bill to amend an act, entitled, an act to reduce into one the several acts concerning wills, the distribution of intestate's estates, and the executors and administrators, approved February 24, 1797.

By Mr. Glenn—13. A bill to declare Whippoorwill a navigable stream.

By Mr. Cobb—14. A bill to amend the militia laws

By Mr. Covington—15. A bill to change the spring and fall terms of the Warren circuit court.

By Mr. Riddle—16. A bill for the benefit of the sheriff of Estill county.

Which were severally read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 5th, 7th, 8th, 9th, 10th, 11th and 15th were severally ordered to be engrossed and read a third time; the 4th, 6th and 12th were referred to the committee on the Judiciary; the 13th to the committee on Internal Improvement; the 14th to the committee on Military Affairs; the 16th to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 5th, 7th, 8th, 9th, 10th, 11th and 15th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Desha, from the committee who were appointed to prepare and bring in the same, reported a bill to amend the execution laws, which was read the first time, as follows, viz:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That upon all contracts hereafter made, and all causes of action hereafter arising, in lieu of the specific articles of property now exempt from execution, there shall be exempt from execution to the amount and value of two hundred and fifty dollars, if a married person or a house keeper, and provisions and fuel sufficient for the family six months; or if a single person, one hundred dollars, which shall be ascertained and fixed in the following manner: It shall be the duty of the officer who shall have an execution or executions in his hands, before proceeding to levy the same, to cause two disinterested house keepers of his county, not related to either of the parties, to affix the value, in cash, on such articles of property selected by the defendant, and owned by him or her. The plaintiff in said execution shall select one of said valuers, and the defendant the other, and if they disagree, the officer shall select a third, each of whom shall be sworn by said officer, that he will faithfully and impartially, to the best of his skill and judgment, affix a value on said property; and if the parties, or either of them, fail thus to select, the officer shall select for him, her or them.

SEC. 2. And the property so selected and valued, the defendant or defendants shall be permitted to hold and retain, as exempt from that or any other execution or warrant of distress whatever; and it shall be the duty of the officer to give to said defendant, or defendants, a list of the property so reserved and retained, and should any officer thereafter levy upon or sell the whole, or any part of said property, so selected and retained, after said officer shall be notified of the said selection and retention, he shall be deemed guilty of a trespass, and of having sold property not subject to execution.

SEC. 3. Be it further enacted, That all acts, or parts of acts, coming within the purview of this act, be and the same are hereby repealed.

Mr. Wortham moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stevenson and Desha, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Armstrong,	Hay,	Salter,
Bowman,	Hord,	Smith,
Bowmar,	Hoy,	Soery,
Boyd,	Martin,	Spurr,
Clarke,	Mitchell,	Stewart,
Cobb,	Moore,	Tandy,
Covington,	Morton,	Thompson,
Elliott, M.	Munford,	Wheeler,
Foley,	Ogelsby,	White,
Graves,	Owens,	Williams,
Haggard,	Pearl,	Wortham,
Hager,	Purdom,	Young—38.
Harrison,	Riddle,	

Those who voted in the negative, were—

Mr. Speaker,	Elliott, J.	Meriwether,
Messrs. Abell,	English,	Page,
Alexander,	Evans,	Phillips,
Alnut,	Fletcher,	Proctor,
Beeler,	Glenn,	Reed,
Bell,	Hall,	Rhea,
Board,	Hanson,	Rouse,
Botts, A. G.	Ireland,	Spalding,
Botts, W. S.	Irvin, J.	Stevens,
Bradford,	Johnston,	Stevenson,
Brown,	Jones, J. R.	Talbutt,
Bush,	Jones, W. L.	Thomas,
Coleman,	Jordan,	Towles,
Crawford,	Mansfield,	Vertress,
Crockett,	Marshall,	Wade,
Desha,	Mayhall,	Walker,
Devereux,	Mays,	Waller,
Dickerson,	McArthur,	Wright—55.
Durbin,		

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with, it was referred to the committee on the Judiciary.

Mr. Smith, from the committee who were appointed to prepare and bring in the same, reported a bill to regulate elections in this Commonwealth. Which was read the first time.

On motion of Mr. Hanson,

Ordered, That said bill be laid on the table.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Rouse—1. A bill to change the name of Joab Hoffman, to that of Joseph Hoffman.

On the motion of same—2. A bill for the benefit of John Goodridge.

On the motion of Mr. Wade—3. A bill to change the names of Joseph, Mary, Charles, Caroline and Elizabeth Brownold, to that of Joseph, Mary, Charles, Caroline and Elizabeth Brown.

On the motion of Mr. Hanson—4. A bill to expedite the proceedings in chancery causes.

On the motion of Mr. Smith—5. A bill to graduate and regulate the fees of circuit court clerks.

On the motion of Mr. J. Elliott—6. A bill to change the place of comparing the polls of elections, from Breathitt to Morgan.

On the motion of Mr. McArthur—7. A bill to incorporate the Old School Presbyterian Church, in the town of Newport.

On the motion of Mr. Harrison—8. A bill to change the name of Harry Wicks, an infant son of Ann J. Wicks.

On the motion of Mr. Bush—9. A bill to amend the road laws of Clarke county.

On the motion of Mr. Tandy—10. A bill for the benefit of John M. Price.

On the motion of Mr. Haggard—11. A bill for the benefit of the infant heirs of Elam Baker, deceased.

On the motion of Mr. Coleman—12. A bill to appropriate the money arising from the sale of the vacant land in Crittenden county, to the payment of the debt of said county for erecting a public jail.

On the motion of Mr. Johnson—13. A bill authorizing the Secretary of State to furnish the Justices of the Peace of this Commonwealth with Loughborough's Digest of the Statute Laws.

On the motion of Mr. White—14. A bill for the benefit of George Stivers.

On the motion of same—15. A bill concerning the navigation of Goose creek, and the south fork of the Kentucky river.

On the motion of same—16. A bill for the benefit of Jesse Morgan, sheriff of Perry county.

On the motion of same—17. A bill for the benefit of Frederick Nance.

On the motion of Mr. W. S. Botts—18. A bill to amend the act incorporating the President, Directors and Company, of the Maysville, Flemingsburg and Mount Sterling Turnpike Road Company.

On the motion of Mr. Evans—19. A bill for the benefit of Squire Walters.

On the motion of same—20. A bill to amend the garnishee law.

On the motion of same—21. A bill to regulate the practice of law before Justices of the Peace.

On the motion of same—22. A bill regulating the granting injunctions and attachments.

On the motion of Mr. Ireland—23. A bill for the benefit of the Williams-town Seminary.

On the motion of Mr. Salter—24. A bill for the benefit of John Bussing and others.

Ordered, That Messrs. Rouse, Stevenson and McArthur prepare and bring in the 1st; Messrs. Rouse, McArthur and Dickerson the 2d; Messrs. Wade, Meriwether and Johnson the 3d; Messrs. Hanson, Page and Proctor the 4th; Messrs. Smith, Waller, Mayhall, Wright and D. Irvine the 5th; Messrs. J. Elliott, Graves and English the 6th; Messrs. McArthur, Dickerson and Alnut the 7th; Messrs. Harrison, Clark and Hoy the 8th; Messrs. Bush, Hobbs, Brown and W. S. Botts the 9th; the committee on Propositions and Grievances the 10th 14th and 17th; Messrs. Haggard, McHenry, Williams and Crockett the 11th; Messrs. Coleman, Page and Stevens the 12th; the committee on the Judiciary the 13th; the committee on Internal Improvement the 15th and 24th; the committee on Ways and Means the 16th; Messrs. W. S. Botts, Waller and Stewart the 18th; Messrs. Evans, Bradford and J. R. Jones the 19th, 20th, 21st and 22d, and Messrs. Ireland, Dickerson and Wheeler the 23d.

Mr. Waller read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the members of this body, with feelings of profound regret, heard of the fall of MAJOR PHILIP NORBOURNE BARBOUR, of the 3d Regiment U. S. Infantry, on the 21st September, 1846, whilst gallantly leading his command to a desperate charge in the streets of Monterey, and deeply sympathise with his family in their sudden and great bereavement.

Resolved, That in testimony of their high sense of his distinguished services as a patriot, his heroic achievements as a soldier—the chivalry of his life and the glory of his death—his Excellency, the Governor, is requested to present to his widow, a sword, with suitable commemorative devices; with her permission to cause his remains to be brought to Kentucky and buried beneath the soil of his native State, within the cemetery, at the Seat of Government, where a becoming monument of marble shall be erected to his memory.

Resolved, That his Excellency be also requested to transmit to Mrs. Barbour an authenticated copy of the foregoing resolutions.

Mr. Arthur read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to have a national salute fired on the public square, on Friday, the 8th instant, at 12 o'clock, in commemoration of the brilliant and signal victory achieved by the American arms, at New Orleans, on the 8th of January, 1815.

The House, according to order, resolved itself into a committee of the whole, on the bill to take the sense of the people as to the propriety of call-

ing a convention, and the amendment proposed thereto; Mr. Williams in the Chair; and after some time spent therein the Speaker resumed the Chair, when Mr. Williams reported that the committee had, according to order, had under consideration the bill and amendment aforesaid, and had instructed him to report the same to the House, with sundry amendments, which he handed in at the Clerk's table.

On motion of Mr. Meriwether,

Ordered, That said bill and amendments be made the special order of the day for Wednesday, the 6th instant, and that the Public Printer forthwith print 150 copies of said bill and amendments, for the use of the members of the General Assembly.

And then the House adjourned.

TUESDAY, JANUARY 5, 1847.

1. Mr. Stevenson presented the petition of sundry citizens of Kenton county, praying an amendment to the charter of the Bank Lick Turnpike Company.

2. Mr. Haggard presented the petition of William Spearman, administrator of John Fletcher, deceased, praying the passage of a law legalizing a sale made by him of the estate of said deceased.

3. Mr. Hobbs presented the petition of Abraham Netherton, and Huldah Netherton, praying to be divorced from each other.

4. Mr. Pearl presented the petition of John J. Godsey, praying the impeachment of John A. Duff, surveyor of Perry county.

5. Mr. Stevenson presented the petition of John W. Leathers, praying an amendment to the penal laws.

6. Mr. Mitchell presented the petition of John Dodd, guardian of Susan Garvin, praying the passage of a law legalizing a sale made by him of a slave belonging to his ward.

7. Mr. Hay presented the petition of Amariah Moore, praying that additional compensation be allowed him for conveying Fanny Burgess, a lunatic, to the Asylum.

8. Mr. Hanson presented the petition of Thomas Woodford, praying that he be permitted to bring into this State a slave for his own use.

9. Mr. Ireland presented the petition of sundry citizens of Grant county, praying that the toll gate on the Covington and Lexington turnpike, between Williamstown and Crittenden, be abolished.

10. Mr. Thomas presented the petition of sundry citizens of Bloomfield, in Nelson county, and its vicinity, praying the passage of a law prohibiting the retailing of spirituous liquors in said town.

11. Mr. Coleman presented the petition of James W. Cruce, praying that he be permitted to bring into this State a slave.

12. Mr. Mansfield presented the petition of Robert A. Wright, praying that he be permitted to bring into this State a slave.

13. Mr. Stewart presented the petition of sundry citizens of Montgomery, Clarke and Estill counties, praying the establishment of a new county out of parts of said counties.

14. Mr. Page presented the petition of Louisa M. Garesche, widow of Fital M. Garesche, deceased, and others, his heirs, praying the passage of a law authorizing a sale of certain real estate, descended to them from the deceased.

15. Mr. Board presented the petition of sundry citizens of Graves county, praying the passage of a law authorizing an additional Justice of the Peace to said county.

16. Mr. Stevens presented the petition of John F. Morse, praying a change of venue in the prosecution now pending against him in the Marshall circuit court, for passing counterfeit money.

17. Mr. Ireland presented the petition of Amos Morehead, praying the passage of a law changing the line dividing the counties of Pendleton and Grant, so as to include him in the county of Grant.

18. Mr. Wright presented the petition of sundry citizens of Hickman county, praying the removal of the county seat of said county, from Clinton to Columbus.

19. Mr. Covington presented the petition of Miles Kelly, praying to be allowed to complete certain contracts on the Scottsville and Glasgow Turnpike Road, and for other purposes.

20. Mr. Stevens presented the petition of Floyd A. Nash, praying that he be permitted to retail spirituous liquors without obtaining a license.

21. Mr. Board presented the petition of Fletcher Sullivan, praying to be divorced from his wife, Sally Sullivan.

Which were received, the reading dispensed with, and referred: the 1st, 9th, and 19th to the committee on Internal Improvement; the 2d, 5th, 6th, 8th, 10th, 12th, 14th, 15th and 16th to the committee on the Judiciary; the 3d and 21st to the committee on Religion; the 4th to Messrs. Pearl, Armstrong, Page, W. S. Botts and Wortham; the 7th to the committee on Claims; the 11th, 13th, 17th, 18th and 20th to the committee on Propositions and Grievances.

A message was received from the Senate announcing that they had passed bills from this House of the following titles, viz:

An act to establish the town of Rollington in Oldham county.

An act to change the name of Stephen A. Red to that of Stephen A. Carver.

An act to change the time of holding the county court of Johnson.

That they had disagreed to a resolution from this House, for the appointment of a committee to examine the Transylvania University and the Lunatic Asylum.

That they had adopted a resolution to fire a national salute on the 8th of January.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Williams—1. A bill to modify, and repeal, in part, the act approved February 2d, 1833, entitled, an act to amend the law prohibiting the importation of slaves into this State.

By same—2. A bill to repeal all laws allowing pay for slaves executed.

By Mr. A. G. Botts—3. A bill to abolish the benefit of clergy.

By Mr. Crawford—4. A bill for the benefit of Sylvester and Rebecca Patton.

By Mr. Wortham—5. A bill ordering the payment of the amount due Grayson and Edmonson counties, on the road leading from the mouth of Salt river to Bowlinggreen.

By Mr. Mitchell—6. A bill for the benefit of Isabella Morton.

By Mr. Dickerson—7. A bill to amend an act, entitled, an act for the benefit of Harrison Rankins, and wife and children.

By Mr. McArthur—8. A bill to incorporate the Old School Presbyterian Church, in Newport.

By Mr. Hay—9. A bill to authorize the use of a portion of the surplus water at dam No. 3, on Green river, on certain conditions.

By Mr. D. Irvine—10. A bill to amend the law regulating the tolls on the Kentucky River Navigation.

By Mr. Stevens—11. A bill to change the name of William Coffield and Richard W. Wommack, to William and Richard W. Ford.

By Mr. Reed—12. A bill to amend the laws regulating the town of Frankfort.

By Mr. Evans—13. A bill for the benefit of Squire Walters.

By same—14. A bill to amend the garnishee law.

By Mr. Hanson—15. A bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10, 1843.

By Mr. Evans—16. A bill to regulate the practice of law before Justices of the Peace.

By Mr. Crockett—17. A bill to amend the acts incorporating the town of Blandville, in Ballard county, and Clarksburg, in Lewis county.

By Mr. Fletcher—18. A bill to incorporate the Sharpsburg Male and Female Academy.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills (except the second,) having been dispensed with; the 1st was referred to a committee of the Whole House for Monday, the 11th inst; the 3d, 4th, 6th, 7th, 8th, 9th, 11th, 12th and 18th were severally ordered to be engrossed and read a third time; the 5th and 10th were referred to the committee on Internal Improvement; the 13th to the committee on Claims; the 14th, 16th and 17th to the committee on the Judiciary, and the 15th to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 3d, 4th, 6th, 7th, 8th, 9th, 11th, 12th and 18th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Durbin, from the committee appointed to prepare and bring in the same, reported a bill for the general distribution of the laws of this Commonwealth.

Which was read the first time, and the question being taken on ordering said bill to be read a second time, it was decided in the negative, and so the said bill was rejected.

The Speaker laid before the House the annual report of the Keepers of the Penitentiary, which is as follows, viz:

OFFICE KENTUCKY PENITENTIARY, }
Frankfort, January 5, 1847. }

SIR: Please lay the enclosed annual report before the House of Representatives.

Very respectfully,

CRAIG & HENRY, A. & K. K. P.

To the Hon. LESLIE COMBS,

Speaker of the House of Representatives.

[For Report—see *Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

The House then took up the resolution from the Senate, to fire a national salute on the 8th of January.

The said resolution was then amended, and as amended was twice read and concurred in.

The House then took up for consideration the resolutions read and laid on the table yesterday, by Mr. Waller.

The said resolutions were then twice read and adopted.

And then the House adjourned.

WEDNESDAY, JANUARY 6, 1847.

1. Mr. Hay presented the petition of S. & S. F. Vaught, praying that compensation be made them for injuries done their mills by slack water, on Green river.
2. Mr. Williams presented the petition of Nelson Anderson, praying to be divorced from his wife, Celia Anderson.
3. Mr. Pearl presented the petition of William H. Young, praying to be divorced from his wife, Mary Young.
4. Mr. Spurr presented the petition of Samuel C. Trotter, W. Mentelle, and B. C. Blincoe, praying to be released from a judgment of the General Court against them on a bond for the return of public arms.
5. Mr. Hager presented the petition of sundry citizens of Lawrence county, praying a change in the line dividing said county and the county of Johnson, so as to include them in Johnson.
6. Mr. Pearl presented the petition of M. A. Watkins, praying that he be permitted to bring into this State a slave.
7. Mr. J. R. Jones presented the petition of Morgan Myers, and Mary F. Myers, his wife, praying the passage of a law authorizing the said Mary F. Myers, who is under age, to convey certain lands which descended to her.
8. Mr. Hanson presented the petition of Henry B. Miller, praying to be divorced from his wife, Amanda J. Miller.
9. Mr. Crawford presented the petition of sundry citizens of Lawrence county, praying to be added to the county of Carter.
10. Mr. Smith presented the petition of David Burnett, and others, in his behalf, praying that a fine assessed against him may be refunded.
11. Mr. Reed presented the petition of sundry citizens of South Frankfort, praying the repeal of the act taking away the power to levy and collect tax in said town.
12. Mr. Board presented the petition of Levi Crowley, praying to be divorced from his wife, Huldah Ann Crowley.

Which were received, the reading dispensed with, and referred; the 1st to the committee on Internal Improvement; the 2d, 3d, 5th and 12th to the committee on Religion; the 4th to the committee on Military Affairs; the 5th to Messrs. Hager, Owens, Haggard and Wortham; the 6th, 7th and 11th to the committee on the Judiciary, and the 9th and 10th to the committee on Propositions and Grievances.

Mr. Meriwether, from the committee on Propositions and Grievances to whom was referred the petition of Thomas B. Justice, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. McHenry, from the committee on the Judiciary, to whom was referred a bill in relation to trustees of towns, reported the same without amendment.

Ordered, That said bill be engrossed, and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Page, from the committee on Ways and Means, to whom was referred a bill for the benefit of the sheriff of Estill county, reported the same with an amendment, which was concurred in.

Ordered, That said bill as amended be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred a bill to declare Whippoorwill a navigable stream, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Stevenson, from the same committee, to whom was referred the petition of William B. Hendrick, reported the same, with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Claims—1. A bill for the benefit of Lois Smallwood.

By same—2. A bill for the benefit of James Coyle.

By the committee on the Judiciary—3. A bill for the benefit of Samuel T. Crews.

By the committee on Internal Improvement—4. A bill for the benefit of James Cunningham, of Trigg county.

By same—5. A bill declaring the Louisa fork of Big Sandy river a navigable stream.

By Mr. Wade—6. A bill for the benefit of Joseph Brownold and others.

By Mr. Pearl—7. A bill to amend the penal laws.

By Mr. Wheeler—8. A bill to amend the road laws in Pendleton county.

By Mr. Foley—9. A bill to change the names of Jacob McClung and Pleasant McClung.

By Mr. Evans—10. A bill regulating the granting of injunctions and attachments.

By Mr. Smith—11. A bill to incorporate the town of Lower Cloverport, in Breckinridge county.

By Mr. Salter—12. A bill to authorize the taking of the depositions of certain officers of the Lunatic Asylum.

By Mr. Tandy—13. A bill allowing flat boats, and other water crafts, laden with the products of Carroll county, to pass over the dam at lock No. 1, on the Kentucky river, free of toll, in time of high water.

By Mr. D. Irvine—14. A bill to amend the law in relation to executors, administrators, curators and guardians.

By Mr. Rouse—15. A bill to change the name of Joab Hoffman to that of Joseph Hoffman.

By Mr. W. S. Botts—16. A bill to amend an act incorporating the Mount Sterling and Maysville Turnpike Road Company.

By Mr. Mayhall—17. A bill to amend an act, entitled, an act to regulate the weight of grain, approved February 8, 1845.

By Mr. Vertress—18. A bill for the benefit of Syllodon Sydney Smith.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 11th, 15th and 18th were severally ordered to be engrossed and read a third time; the 10th, 12th and 14th were referred to the committee on the Judiciary; the 13th and 16th to the committee on Internal Improvement, and the 17th to the committee on Agriculture and Manufactures.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 11th, 15th and 18th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate announcing their disagreement to the amendment proposed by this House, to the resolution from the Senate, to fire a national salute on the 8th of January.

Resolved, That this House recede from their said amendment.

The Speaker laid before the House the annual report of the Commissioners of the Sinking Fund, which is as follows, to-wit:

SIR: I herewith transmit to the honorable body, over which you preside, the annual report of the Commissioners of the Sinking Fund.

Very respectfully,

A. S. MITCHELL.

Secretary of the Board.

To the Hon. LESLIE COMBS,

Speaker of the House of Representatives.

[For Report—see *Legislative Documents.*]

Ordered, That said report be referred to the committee on the Sinking Fund, and that the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

On motion of Mr. W. S. Botts, leave was given to bring in a bill to amend the act incorporating the town of Flemingsburg.

Ordered, That Messrs. W. S. Botts, Proctor and Phillips prepare and bring in the same.

The House then resolved itself into a committee of the whole; Mr. Williams in the Chair; on the bill to take the sense of the people as to the propriety of calling a convention, and the amendments proposed thereto by the committee of the whole on Monday last; and after some time spent therein, the speaker resumed the Chair; when Mr. Williams reported that the committee had, according to order, had under consideration the bill and amendments aforesaid, and had instructed him to report the same to the House without amendment, which he handed in at the Clerk's table.

On motion of Mr. Hanson,

Ordered, That said bill and amendments be referred to a committee, with instructions to report the same to the House on to-morrow at 12 o'clock.

Whereupon Messrs. Hanson, Williams, Vertress, Graves, Evans, Smith and Clarke were appointed said committee.

And then the House adjourned.

THURSDAY, JANUARY, 7, 1847.

A message was received from the Senate, announcing their concurrence in the preamble and resolutions from this House, in relation to the increase of the pay of volunteers in the Mexican war, with an amendment.

That they had passed bills from this House of the following titles, viz:

An act to change the time of holding the April and October terms of the Lewis county court.

An act to amend the laws relating to the town of Frankfort.

An act to amend the charter of the Louisville Savings Institution.

That they had passed bills of the following titles, viz:

An act for the benefit of Reuben Poland and Martha S. Poland.

An act to change the venue in the prosecution against Hiram Harris.

An act to change the venue in the prosecution against Alexander Frazier.

An act for the benefit of Jane Berryman.

An act for the benefit of Henry D. Wilkerson.

An act to change the venue in the prosecution of Valentine W. Peyton.

An act for the benefit of William Barnes, Sen., and the widow and heirs of Richard Barnes, deceased.

An act to incorporate the Mt. Alba Female Collegiate Institute, in the county of Breckinridge.

An act to incorporate the Breckinridge College.

An act to authorize the construction of a mill dam across the south fork of Rough creek.

An act for the benefit of Beverly Megary, of Graves county.

1. Mr. Hay presented the petition of J. and E. Hunt, praying that permission be given them to erect a fish trap on Muddy river.

2. Mr. A. G. Botts presented the petition of Ann Neal, praying the passage of a law confirming a parol contract made by her with James M. Wright, now deceased, for the purchase of a house and lot in Bardstown.

3. Mr. Covington presented the petition of James Jenkins, praying a change in the State road from the mouth of Salt river to Bowlinggreen, where it passes over his land.

4. Mr. Crawford presented the petition of sundry citizens of Carter and Greenup counties, praying the passage of a law authorizing the removal of obstructions to the navigation of Little Sandy river.

5. Mr. Marshall presented the petition of Elvira Chapman, praying to be divorced from her husband, Samuel Chapman.

6. Mr. Spurr presented the petition of the members of the Lexington Rifle Company, praying the passage of a law authorizing said company to receive from the public arsenal a stand of arms.

Which were received, the reading thereof dispensed with, and referred; the 1st, 3d and 4th to the committee on Internal Improvement; the 2d to the committee on the Judiciary; the 5th to the committee on Religion, and the 6th to the committee on Military Affairs.

Mr. Proctor moved the following resolution, viz:

Resolved, That the committee on Military Affairs be instructed to ascertain and report the *number, kind and state* of the public arms now in the State Arsenal, at Frankfort, intended for distribution, according to the act of Congress, among the militia of the State of Kentucky.

Which was adopted.

Mr. Mayhall moved the following resolution, viz:

Resolved, That a committee of four members of this House be selected by ballot to visit and examine the Lunatic Asylum, at Lexington, and the Deaf and Dumb Asylum, at Danville, and report the condition of the same to this House; said committee shall have power to send for persons and papers, &c.

Mr. Desha moved the following as a substitute to said resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint committee on Banks be directed to examine the situation of the Lunatic Asylum at Lexington, and report the condition of the same to the General Assembly.

And the question being taken on the adoption of said substitute, it was decided in the affirmative.

The rule of the House requiring joint resolutions to lay one day on the table having been dispensed with, the said resolution, as amended, was then twice read and adopted.

Mr. Hobbs read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on Wednesday the 13th instant, proceed by joint vote of both Houses, to the election of a Senator to the Congress of the United States, from this State, for six years from and after the 4th day of March next.

Mr. Meriwether moved the following resolution, viz:

Resolved, That the committee on Ways and Means be instructed to inquire into the expediency of requiring each county to provide for the support of its own idiots.

Which was adopted.

On motion of Mr. Meriwether,

Resolved, That Joseph Gray, Sergeant-at-Arms of this House, be permitted to avail himself of the services of his son Robert A. Gray, to assist him in the discharge of his official duties.

Mr. Proctor moved the following resolutions, viz:

Resolved, That the committee on Federal Relations enquire into the constitutional power of the President of the United States to appoint and commission officers of any grade in the volunteer militia, when called into the service of the United States.

Resolved further, That said committee enquire further, whether in the late exercise of that power, by the President of the United States, the constitution of the United States and the rights of the States have not been encroached upon.

Which were adopted.

Mr. Graves moved the following resolution, viz:

Resolved, That the committee on the Judiciary be directed to enquire into the propriety and expediency of allowing appeals and granting writs of error in criminal cases, and that they report by bill or otherwise.

Which was adopted.

Mr. Graves moved the following resolution, viz:

Resolved, That the committee on the judiciary be directed and instructed to report a bill to this House, as early as is practicable, to confer jurisdiction upon the circuit courts of this Commonwealth to decree, or otherwise to change the names of all such persons as may desire such changes, according to such regulations as may be hereafter adopted; and to legitimate the names of such persons as may desire such legitimation, according to such regulations as may be hereafter adopted.

Mr. Crockett moved the following as a substitute for said resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of giving the circuit courts authority to change the names of illegitimate persons upon application by petition, and report by bill or otherwise.

And the question being taken upon the adoption thereof, it was decided in the affirmative.

The said resolution, as amended, was then adopted.

Mr. Graves moved the following resolution, viz:

Resolved, That the committee on the Judiciary be directed to enquire into the expediency and propriety of reducing the fees of all the clerks of the respective courts, and that they report by bill if they deem it expedient and proper.

Which was adopted.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Wortham—1. A bill to authorize guardians of minors, idiots and lunatics, to receive and remove from this State any property to which said wards may be entitled, when both guardian and ward reside out of the State.

On the motion of Mr. Morton—2. A bill to change the election precinct at Moore Springfields, in Hopkins county, to George W. Springfields, in said county.

On the motion of Mr. Wright—3. A bill to amend the 5th section of an act, entitled, an act to provide for the erection of a marine railway in the town of Hickman and for other purposes.

On the motion of Mr. Cobb—4. A bill to change the road law in Knox county.

On the motion of Mr. Desha—5. A bill to amend the laws in relation to patrols.

On the motion of Mr. Hobbs—6. A bill to amend the law in relation to patrols, so far as Jefferson county is concerned.

On the motion of same—7. A bill to amend the laws relative to the acknowledgment of deeds by femes covert.

On the motion of Mr. Page—8. A bill to amend an act, entitled, an act for the benefit of Susan Ann D. Young and her children, approved January 21, 1846.

On the motion of same—9. A bill to amend an act, entitled, an act for the benefit of John Duerson, approved January 31, 1846.

On the motion of Mr. Pearl—10. A bill to repeal, in part, and amend, in part, the act to establish a road from the mouth of Laurel, by way of London, to Bates' salt well in Clay county.

On the motion of same—11. A bill to regulate and explain the acts of assembly conferring equity jurisdiction on Justices of the Peace.

On the motion of same—12. A bill to amend the law in relation to the murder and concealing of bastard children by their mothers.

On the motion of Mr. Rhea—13. A bill changing the name of James Monroe Garner to that of James Monroe Priede.

On the motion of Mr. Hay—14. A bill to branch the Court of Appeals, and to locate one branch south of Green river, in the town of Greenville.

On the motion of same—15. A bill to incorporate the Trustees of Pleasant Hope Meeting House, of the General Baptist Church, in Daviess county, Kentucky.

On the motion of Mr. D. Irvine—16. A bill to incorporate an additional fire company in the town of Frankfort.

On the motion of same—17. A bill for the benefit of the jailers of Madison and Anderson counties.

On the motion of Mr. Graves—18. A bill for the benefit of Peter Blair, Sen.

On the motion of Mr. Ogelsby—19. A bill to compel the trustees of Tompkinsville to keep the streets in order.

On the motion of Mr. Waller—20. A bill to amend the charter of the Maysville, Washington, Paris and Lexington Turnpike Company.

On the motion of same—21. A bill for the benefit of the Maysville guards.

On the motion of Mr. A. G. Botts—22. A bill the better to protect the estates of deceased persons.

On the motion of Mr. Armstrong—23. A bill to amend the habeas corpus law.

On the motion of Mr. Wheeler—24. A bill for the benefit of Charles W. Dean, of Pendleton county.

On the motion of Mr. Dickerson—25. A bill to incorporate the Georgetown and Paris Turnpike Road Company.

On the motion of same—26. A bill to change the name of Mrs. Pamela Redman to that of Pamela Robertson.

On the motion of Mr. English—27. A bill for the benefit of Thomas H. Woolfolk, of Trimble county.

On the motion of Mr. Glenn—28. A bill to amend the execution laws.

On the motion of Mr. Spalding—29. A bill for the benefit of George F. Catlett, late sheriff of Union county.

On the motion of Mr. J. R. Jones—30. A bill to give full power to Circuit Judges to grant all sorts and kinds of divorces.

On the motion of Mr. Williams—31. A bill prohibiting the emancipation of slaves, unless bond and security is given to prevent them from becoming a county charge.

On the motion of same—32. A bill to make the estates of deceased persons liable for the costs in suits brought by the executor or administrator for causes of action, which originated in the life time of the intestate or testator.

On the motion of Mr. Covington—33. A bill for the benefit of John Mitchell and others.

On the motion of same—34. A bill to authorize William Smith to import certain slaves into this Commonwealth.

On the motion of same—35. A bill to amend an act, entitled, an act to regulate the duties of the trustees of the town of Bowlinggreen.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 5th, 12th, 14th, 22d, 27th, 31st and 32d; Messrs. Morton, English, Mansfield and Spalding the 2d; Messrs. Wright, Crockett and Haggard the 3d; Messrs. Cobb, White and Pearl the 4th; Messrs. Hobbs, Meriwether, Armstrong and Young the 6th; Messrs. Hobbs, Bush, Tandy and Meriwether the 7th; Messrs. Page, J. Irvin and Hobbs the 8th; Messrs. Page, J. Irvin and Meriwether the 9th; Messrs. Pearl, White and Foley the 10th; Messrs. Pearl, Armstrong and W. S. Botts the 11th; Messrs. Rhea, Moore, and Bowmar the 13th; Messrs. Hay, Devereux and Alexander the 15th; Messrs. D. Irvine, Reed and Armstrong the 16th; Messrs. D. Irvine, Purdom and Walker the 17th; Messrs. Graves, J. R. Jones and Abell the 18th; Messrs. Ogelsby, Wortham and Haggard the 19th; the committee on Internal Improvement the 20th; the committee on Military Affairs the 21st; Messrs. Armstrong, Reed and English the 23d; Messrs. Wheeler, Desha, Durbin and Ireland the 24th; Messrs. Dickerson, Talbott and Hanson the 25th; Messrs. Dickerson, Fletcher and Rouse the 26th; Messrs. Glenn, Desha and Harrison the 28th; Messrs. Spalding, Mansfield, English and Morton the 29th; Messrs. J. R. Jones, Alexander and Evans the 30th; Messrs. Covington, Hoy and Rhea the 33d and 35th, and Messrs. Covington, Hoy and Harrison the 34th.

Mr. J. R. Jones asked leave to bring in a bill to reduce the salaries of all the Circuit Judges to eight hundred dollars, and other officers in the same proportion.

And the question being taken on granting the leave, it was decided in the negative.

On the motion of Mr. Armstrong,
Ordered, That two additional members be added to the committee on the Judiciary.

Whereupon, Messrs. Page and English were added thereto.

Mr. Armstrong moved the following resolution, viz :

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of adding a Judge to the Bench of the Court of Appeals, and that they report by bill or otherwise.

Which was adopted.

Mr. Armstrong moved the following resolution, viz :

Resolved, That a select committee of seven members be appointed to enquire into the expediency of reviving the act, entitled, an act to incorporate the Lexington and Ohio Railroad Company," approved January 27th, 1830, and the amendments thereto; or whether it would be more advisable to charter a company to complete said road from Frankfort to Louisville, and report by bill or otherwise.

And the question being taken on the adoption thereof, it was decided in the negative.

Mr. Munford, from the committee on enrollments, reported that the committee had examined an enrolled resolution from the Senate, to fire a national salute on the 8th of January, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. Meriwether, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Estill, Montgomery, and Clarke counties, praying for the formation of a new county, and the petition of Arthur Nash, reported the same, with the following resolution, viz :

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Meriwether, from the same committee, to whom was referred the petition of James W. Crews, asked to be discharged from the further consideration thereof, which was granted.

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. A. G. Botts, from the committee on Religion, to whom was referred the petition of Elijah Elliott; the petition of June Duddy; the petition of Virginia E. Franklin; the petition of Milton and Sally Smith; the petition of Isom Gambrell, and the petition of George S. Gravit, each praying for a divorce, reported the same, with the following resolution, viz :

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Kinkead, Secretary of State, laid before the House depositions taken with a view of instituting proceedings for the removal of Kain A. McCaughan, surveyor of Trigg county.

Ordered, That the same be referred to Messrs. Covington, Page, Rhea, Hoy and Hobbs.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Internal Improvement—1. A bill to amend an act to incorporate the Bank Lick Turnpike Road Company.

By Mr. Hobbs—2. A bill for the benefit of John D. Locke, a lunatic.

By Mr. Graves—3. A bill to change the place of comparing the polls in the counties of Morgan and Breathitt.

By Mr. Hanson—4. A bill to change the time of holding the Court of Appeals.

By Mr. W. S. Botts—5. A bill to amend an act incorporating the town of Flemingsburg.

By Mr. Munford—6. A bill to regulate the tare on sugar barrels.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with: the 1st, 2d, 3d, 5th and 6th were severally ordered to be engrossed and read a third time, and the 4th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 5th and 6th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the committee to whom was referred the bill to take the sense of the people as to the propriety of calling a convention, and the amendments proposed thereto by the committee of the whole, reported the same with an amendment as a substitute for said bill and amendments.

Mr. Desha moved an amendment to the amendment.

Mr. Wright moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Desha be adopted? and it was decided in the negative.

The question was then taken on concurring in the amendment proposed by the committee as a substitute for said bill and amendments, and decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

Mr. Stevenson moved that said bill have its third reading on this day.

The said bill was then read a third time.

The question was then put, shall the bill pass?

And after some discussion had thereon the House adjourned.

FRIDAY, JANUARY 8, 1847.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act for the benefit of Mrs. Nancy Cox, of the county of Fleming.

An act to change the name of James P. Conkin to James P. Hagan, and to legitimate him.

An act for the benefit of Polixna McDaniel.

An act for the benefit of Isabella Morton.

An act to authorize the use of a portion of the surplus water at dam No. 3, on Green river, on certain conditions.

An act to change the names of William Coffield and Richard M. Womack to William and Richard M. Ford.

That they had passed bills of the following titles, viz:

An act to take the sense of the people of this State as to the propriety of calling a convention.

An act authorizing the sale of the parsonage house in the town of Elkton,

1. Mr. Waller presented the memorial of the citizens of Mason county, opposed to the removal of the seat of justice of said county.

2. Also, the memorial of the widows owning real estate in Washington, against the removal of the seat of justice of Mason county.

3. Mr. Desha presented the petition of the Justices of the Pulaski county court, praying a repeal of an act, entitled, an act for the benefit of Tabitha Hix.

4. Also, the petition of sundry citizens of Pulaski county, praying permission to erect a fish dam across the south fork of Cumberland river.

5. Mr. Covington presented the petition of Nancy McCown, praying to be divorced from her husband, James McCown.

6. Mr. Wright presented the petition of Sarah Ann Huss, praying to be divorced from her husband, William Huss.

7. Mr. Salter presented the petition of John Bussing, praying compensation for loss of timbers, by reason of the obstruction of Lock and Dam No. 5, on the Kentucky river.

8. Mr. Spurr presented the petition of Thomas H. Clay, praying a change in the law in relation to working on public roads.

Which were received, the reading thereof (except the 1st and 2d, which were read,) dispensed with, and referred; the 1st and 2d to the committee on Propositions and Grievances; the 3d to the committee on the Judiciary;

the 4th, 7th and 8th to the committee on Internal Improvement, and the 5th and 6th to the committee on Religion.

The Speaker laid before the House the annual report of the Trustees of the Deaf and Dumb Asylum, at Danville, which is as follows, viz :

[For Report—see *Legislative Documents.*]

Ordered, That said report be referred to Messrs. Mitchell, Waller, Page, Munford and Crockett, and that the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Meriwether moved a re-consideration of the vote of yesterday, rejecting the petition of sundry citizens of Clarke, Montgomery and Estill, praying for the formation of a new county out of parts of said counties.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said petition be re-committed to the committee on Propositions and Grievances.

Mr. Reed, from the committee on the Judiciary, to whom was referred the bill for the benefit of Benjamin Payne, of Daviess county, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Botts, from the committee on Religion, to whom was referred the petition of Fletcher Sullivan, praying for a divorce, reported the same with the following resolution, viz :

Resolved, That said petition be rejected.

Mr. Board moved to amend said resolution by striking out the words "be rejected" and inserting "is reasonable."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. Botts, from the committee on Religion, reported a bill to divorce Maria J. Shelby, from Isaac M. Shelby, which was read the first time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Maria J. Shelby be and she is hereby divorced from her husband, Isaac M. Shelby, and restored to all the rights, privileges and immunities of a single person.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and decided in the negative.

The yeas and nays being required thereon by Messrs. Wortham and Young, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Hoy,	Reed,
Alexander,	Johnston,	House,
Beeler,	Jones, J. R.	Smith,
Board,	Jones, W. L.	Soery,
Boyd,	Jordan,	Spalding,
Dickerson,	Mansfield,	Steele,
Durbin,	Marshall,	Talbutt,
Elliott, J.	Mayhall,	Tandy,
English,	Mays,	Thompson,
Fletcher,	McArthur,	Towles,
Glenn,	McCallister,	Wade,
Haggard,	Meriwether,	Walker,
Hager,	Morton,	Waller,
Hanson,	Ogelsby,	Wheeler—44.
Hay,	Owens,	

Those who voted in the negative, were—

Mr. Speaker,	Devereux,	Pearl,
Messrs. Alnut,	Elliott, M.	Phillips,
Bell,	Evans,	Proctor,
Botts, A. G.	Foley,	Purdum,
Botts, W. S.	Graves,	Rhea,
Bowman,	Hall,	Riddle,
Bowmar,	Harrison,	Salter,
Bradford,	Hobbs,	Spurr,
Brown,	Hord,	Stevens,
Bush,	Ireland,	Stevenson,
Clarke,	Irvine, D.	Stewart,
Cobb,	Irvin, J.	Thomas,
Coleman,	Martin,	Vertress,
Crawford,	Mitchell,	Williams,
Crockett,	Moore,	Wortham,
Covington,	Munford,	Wright,
Desha,	Page,	Young—51.

Mr. Stevenson, from the committee on Internal Improvement, moved the following resolution, viz:

Resolved, That the President of the Board of Internal Improvement be requested to furnish this House with the names of any State or Turnpike Roads to which there is any thing due, by the State, on account of any sub-

scriptions to said road—the amount of said subscriptions—when made, and how much is due on the same,

Which was adopted.

Mr. Stevenson, from the same committee, moved the following resolution, viz:

Resolved, That so much of the Governor's message as refers to Internal Improvement, together with the report of the President of the Board of Internal Improvement, be referred to the committee on Internal Improvement.

Which was adopted.

The House again resumed the consideration of the bill to take the sense of the people as to the propriety of calling a convention.

On motion of Mr. Graves,

Ordered, That said bill be laid on the table.

A bill from the Senate, entitled, an act to take the sense of the people of this State as to the propriety of calling a convention, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Williams moved to amend said bill in the 7th section, by inserting after the words "commissioners of tax" the words, "the year 1847," and striking out of said section the words "for the year 1847."

Mr. Wortham moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Williams be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haggard and Sorey were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Mays,	Stevenson,
Bowmar,	McArthur,	Vertress,
Coleman,	Moore,	Wheeler,
Elliott, M.	Morton,	Williams,
Graves,	Owens,	Wright.—17
Hager,	Rouse,	

Those who voted in the negative, were—

Mr. Speaker,	Foley,	Page,
Messrs. Alexander,	Glenn,	Pearl,
Alnut,	Haggard,	Phillips,
Armstrong,	Hall,	Proctor
Beeler,	Hanson,	Purdum,
Bell,	Harrison,	Reed,
Board,	Hay,	Rhea,
Botts, A. G.	Hobbs,	Riddle,

Botts, W. S.
Bowman,
Boyd,
Bradford,
Brown,
Bush,
Clarke,
Cobb,
Crawford,
Crockett,
Covington,
Destin,
Devereux,
Dickerson,
Durbin,
Elliott, J.
English,
Evans,
Fletcher,

Hord,
Hoy,
Ireland,
Irvine, D.
Irvin, J.
Johnston,
Jones, J. R.
Jones, W. L.
Jordan,
Mansfield,
Marshall,
Martin,
Mayhall,
McCallister,
McHenry,
Meriwether,
Mitchell,
Munford,
Oglesby,

Salter,
Smith,
Soery,
Spalding,
Spurr,
Steele,
Stevens,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Towles,
Wade,
Walker,
Waller,
White,
Wortham,
Young—81.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Mr. Wright moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Johnston, were as follows, viz :

Those who voted in the affirmative, were—

Messrs. Abell,
Alexander,
Armstrong,
Beeler,
Bell,
Board,
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Bush,
Clarke,
Cobb,
Coleman,
Crawford,
Crockett,

Glenn,
Graves,
Haggard,
Hager,
Hall,
Hanson,
Hord,
Hoy,
Ireland,
Irvine, D.
Irvin, J.
Johnston,
Jones, J. R.
Jones, W. L.
Jordan,
Mansfield,
Marshall,
Martin,

Pearl,
Phillips,
Proctor,
Purdum,
Riddle,
Rouse,
Salter,
Smith,
Soery,
Spalding,
Steele,
Stevens,
Stevenson,
Stewart,
Talbutt,
Tandy,
Thompson,
Towles,

Covington,
Desha,
Durbin,
Elliott, J.
Elliott, M.
English,
Evans,
Fletcher,
Foley,

Mayhall,
Mays,
McArthur,
Moore,
Morton,
Munford,
Oglesby,
Owens,
Page,

Vertress,
Wade,
Walker,
Waller,
Wheeler,
White,
Williams,
Wright,
Young—81.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alnut,
Botts, A. G.
Devereux,
Dickerson,
Harrison,

Hay,
Hobbs,
McCallister,
McHenry,
Meriwether,
Mitchell,

Reed,
Rhea,
Spurr,
Thomas,
Wortham.—17.

Resolved, That the title thereof be as aforesaid.

Mr. Pearl, from the committee to whom was referred the memorial of John J. Godsey, praying for the impeachment of John A. Duff, surveyor of Perry county, made the following report, accompanied with resolutions, viz :

The select committee to whom was referred the petition of John J. Godsey, praying for an impeachment against John A. Duff, surveyor of Perry county, have had the same under consideration, and respectfully submit to the House the following report :

The petition being signed and attested agreeably to the requirements of the statute, makes fifteen specific charges.

The first, second, third, fourth and fifth, may be properly embraced under one charge, as they all relate to the same omission of a duty required by law, repeatedly committed.

By the 4th section of the act of 1810, it is provided : "That coroners and county surveyors, and all other county officers, not otherwise specially provided for by this act, the tenure of whose office is during good behavior, and who by law are required to give bond and security for the faithful discharge of their respective offices, shall within the present year 1810, and within every fifth year thereafter, in the county court of their respective counties, with two or more sufficient securities, to be approved of by the court, enter into bond with the like penalty and condition, as by the law for the time being shall be requisite in each case respectively ; which bond shall be by the clerk registered and preserved in his office with the papers of the court."

By the 7th section of the same act, it is further provided : "That every clerk or other officer within the purview of this act, who shall fail to keep and perform the foregoing requisitions hereof, so far as they apply to such officer, shall be guilty of a misdemeanor, and be removeable from office therefor."

The petition charges that the surveyor qualified to his commission, and entered into bond and security in 1821. It was therefore his duty to have entered into bond and security in the Perry county court within the year

1825 thereafter, also, within the years 1830, 1835, 1840, and 1845; and it is charged and proven, that the said surveyor failed to give bond and security within any one of the periodical years required by the statute; and is, therefore, guilty of the first, second, third, fourth and fifth charges, which the statute makes a misdemeanor, or for which he "*shall be removeable from office.*" It further appears that he has not entered into bond and security since the year 1831.

The sixth specification charges that the said surveyor refused to let the citizens of Perry county examine his official books, and is sustained by affidavit.

The seventh specification charges corruption by intentionally surveying land not intended to be appropriated, so as to make additional fees in again surveying the land designated to be appropriated; and that \$28 50 was corruptly charged and received for saving and surveying fifty acres of land, as aforesaid, and is sustained by affidavit.

The eighth specification charges, that after receiving the lawful fees to survey fifty acres of vacant land for another, he corruptly surveyed the same in his own name, and is sustained by affidavit.

The ninth specification charges, that he corruptly concealed the fact that he had but a few days before surveyed 200 acres of vacant land for one person, for the purpose of again getting the fees for surveying the same for another person, who believed the land was vacant; and did by the means aforesaid get and receive \$7 50 cents, and is sustained by affidavit.

The tenth specification charges that he sold his official acts to the highest bidder, and is sustained by affidavit.

The eleventh specification charges that he corruptly used his office, to cheat and defraud, and falsely represented that he had saved a small piece of vacant land for himself, to prevent another from entering and appropriating the same, and is sustained by affidavit.

The 12th specification is a charge of corrupt extortion, in charging and exacting more from a poor widow than his legal fees; that he charged and received the sum of \$10 for making a fifty acre survey, and the same is sustained by affidavit.

The thirteenth specification also charges corrupt extortion, and is sustained by affidavit.

The fourteenth specification is also a charge of corrupt extortion from an other poor widow, and is sustained by affidavit.

The fifteenth, and last specification, charges that the said surveyor did corruptly forge and put the names of chain carriers and marker to a one hundred acre survey in his own own name, and is sustained by affidavit.

It is the opinion of the committee, that for the causes set forth in the petition, the said John A. Duff, surveyor of Perry county, ought to be impeached, and removed from office.

Therefore, resolved, That John A. Duff, surveyor of Perry county, be impeached upon the charges set forth in the petition of John J. Godsey.

Resolved, That Messrs. Pearl, Armstrong and W. S. Botts, be and they are hereby nominated and appointed, to draw up an impeachment against the said John A. Duff, surveyor of Perry county, and manage and prosecute the same before the Senate.

The said resolutions were then twice read and adopted.

And then the House adjourned.

SATURDAY, JANUARY 9, 1847.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act for the benefit of Richard Buchanan and Benjamin Hayden.

An act for the benefit of Sylvester and Rebecca Patton, with an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to incorporate the Kentucky Military Institute.

An act for the benefit of Rebecca Morrison and the heirs of Joseph A. Morrison, deceased.

1. Mr. Wade presented the remonstrance of sundry citizens of Bullitt county, against the establishment of a new county out of parts of said county and the counties of Hardin, Meade and Jefferson.

2. Mr. Brown presented the petition of Robert Martin, praying a change in the line dividing Hardin and Larue counties, so as to include his residence in the latter.

3. Mr. Reed presented the petition of Sophia Catharine Backmann, praying to be divorced from her husband, Anthony Backmann.

4. Mr. W. S. Botts presented the petition of sundry citizens of Fleming county, praying a change in the location of certain turnpike gates, on the Maysville and Lexington Turnpike Road.

5. Mr. Clark presented the petition of Martin Chumby, praying to be divorced from her husband, Beverly Chumby.

6. Also, the petition of Mary S. Brewer, praying that her name, and that of her infant children, be changed to Mary S. Roberts, Hezekiah P. and James B. Roberts.

7. Mr. Foley presented the petition of William Pennington, praying to be divorced from his wife, Nancy Pennington.

8. Also, the remonstrance of Nancy Pennington, against the grant of a divorce to her husband, William Pennington.

9. Mr. Desha presented the petition of the trustees of school district No. 18, in Pulaski county, praying the passage of an act allowing them further time to make out and return their report.

Which were received, the reading dispensed with, and referred; the 1st 2d, and 4th to the committee on Propositions and Grievances; the 3d, 5th, 7th and 8th to the committee on Religion; the 6th to the committee on the Judiciary, and the 9th to the committee on Education.

Mr. Drury W. Poor, the member returned to serve in this House from the county of Logan, appeared, produced a certificate of his election, and having taken the several oaths prescribed by the constitution and law of this State, took his seat.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined an enrolled bill from the Senate, entitled, an act to extend the time for the Judge of the 19th Judicial District to remove into his district.

And bills from this House of the following titles, viz:

An act to authorize the use of a portion of the surplus water at dam No. 3, on Green river, on certain conditions.

An act to change the name of James P. Conkin to James P. Hagan, and to legitimate him.

An act for the benefit of Polixna McDaniel.

An act for the benefit of Mrs. Nancy Cox, of the county of Fleming.

An act to change the names of William Coffield and Richard M. Womack to William and Richard M. Ford.

An act for the benefit of Isabella Morton.

An act to amend the charter of the Louisville Savings Institution.

An act to establish the town of Rollington in Oldham county.

An act to amend the laws relating to the town of Frankfort.

An act to change the time of holding the April and October terms of the Lewis county court.

An act to change the time of holding the county court of Johnson.

An act to change the name of Stephen A. Red to that of Stephen A. Carver.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. McHenry, from the committee on the Judiciary, asked to be discharged from the further consideration of the petition of sundry citizens of South Frankfort.

Which was granted.

Ordered, That said petition be referred to the committee on Propositions and Grievances.

Mr. McHenry, from the same committee, to whom was referred a bill to authorize the taking of depositions of certain officers of the Lunatic Asylum, reported the same without amendment.

Ordered, That said bill be engrossed, and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had adopted a resolution concerning certain repairs to the State House.

The said resolution was then taken up twice read and concurred in.

Mr. A. G. Botts, from the committee on Religion, to whom was referred the petition of Elvira Chapman, praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

On motion of Mr. Marshall,

Ordered, That said petition be re-committed to the committee on Religion, with instructions to hear the testimony and decide on the merits of the case.

The following bills were reported by the committee on the Judiciary, viz:

A bill for the benefit of Richard Darnell.

A bill for the benefit of Charles H. Smith.

A bill for the benefit of Artimesia Jones and James Jones.

A bill allowing additional Justices of the Peace to Graves and Muhlenburg counties.

A bill for the benefit of Charles Hays.

A bill for the benefit of William Long and Ann Elizabeth Long.

A bill for the benefit of John S. Page and others.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the committee on the Judiciary, reported a bill for the benefit of Robert A. Wright, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be lawful for Robert A. Wright to bring into this State a negro girl named Harriet, which he obtained from his father-in-law, who resides in the State of Tennessee: *Provided*, that the said Wright shall, within sixty days after bringing said girl into this State, make oath before a Justice of the Peace of the county in which he resides, that he procured the said girl for his own use, and does not intend to sell her.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The question was then taken on engrossing and reading the said bill a third time, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Salter and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Fletcher,	Morton,
Messrs. Abell,	Glenn,	Munford,
Alexander,	Graves,	Ogelsby,
Alnut,	Haggard,	Owens,
Armstrong,	Hager,	Page,
Beeler,	Hanson,	Poor,
Bell,	Harrison,	Purdom,
Board,	Hobbs,	Reed,
Botts, A. G.	Hord,	Rhea,
Botts, W. S.	Hoy,	Riddle,
Bowman,	Ireland,	Smith,
Bowmar,	Irvine, D.	Soery,
Boyd,	Irvin, J.	Spalding,
Bradford,	Johnston,	Stevens,
Brown,	Jones, J. R.	Stevenson,
Bush,	Jones, W. L.	Stewart,
Clarke,	Jordan,	Talbutt,
Coleman,	Mansfield,	Tandy,
Crawford,	Marshall,	Thompson,
Crockett,	Martin,	Towles,
Covington,	Mayhall,	Wade,
Desha,	Mays,	Walker,
Devereux,	McArthur,	Waller,
Dickerson,	McCallister,	Wheeler,
Durbin,	Meriwether,	White,
Elliott, J.	Mitchell,	Wortham,
English,	Moore,	Young—82.
Evans,		

Those who voted in the negative, were—

Messrs. Cobb,	Pearl,	Steele,
Elliott, M.	Phillips,	Thomas,
Foley,	Proctor,	Vertress,
Hall,	Rouse,	Williams,
Hay,	Salter,	Wright—16.
McHenry,		

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. A. G. Botts, from the committee on Religion, reported a bill to divorce Fletcher Sullivan, which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Fletcher Sullivan be and he is hereby divorced from his wife, Sally Sullivan, and that he be and he is hereby restored to all the rights and privileges of a single person.

And the question being taken on ordering said bill to be read a second time, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. D. Irvine and A. G. Botts, were as follows, viz :

Those who voted in the affirmative, were—

Messrs. Alexander,	Hord,	Reed,
Alnut,	Hoy,	Rouse,
Board,	Irvin, J.	Smith,
Brown,	Jordan,	Soery,
Crockett,	Mansfield,	Spalding.
Covington,	Marshall,	Stewart,
Dickerson,	Mayhall,	Talbutt,
Elliott, J.	Mays,	Thompson,
English,	McArthur,	Towles,
Evans,	McCallister,	Wade,
Fletcher,	Moriwether,	Waller,
Haggard,	Morton,	Williams,
Hager,	Oglesby,	Wortham,
Hanson,	Owens,	Wright.—43
Hobbs,		

Those who voted in the negative, were—

Mr. Speaker,	Elliott, M.	Pearl,
Messrs. Abell,	Foley,	Phillips,
Armstrong,	Glenn,	Poor,
Beeler,	Graves,	Proctor
Bell,	Hall,	Purdom,
Botts, A. G.	Harrison,	Rhea,
Botts, W. S.	Hay,	Riddle,
Bowman,	Ireland,	Salter,
Bowmar,	Irvine, D.	Steele,
Boyd,	Johnston,	Stevens,
Bradford,	Jones, J. R.	Stevenson,
Bush,	Jones, W. L.	Tandy,
Clarke,	Martin,	Thomas,
Cobb,	McHenry,	Vertress,
Coleman,	Mitchell,	Walker,
Crawford,	Moore,	Wheeler,
Deshu,	Munford,	White,
Devereux,	Page,	Young—55.
Durbin,		

On motion of Mr. Board, leave was given to withdraw the petition of Fletcher Sullivan, and the same was withdrawn.

The amendments proposed by the Senate to the preamble and resolutions from this House in relation to the increase of the pay of the volunteers in the Mexican war, were twice read and concurred in.

The amendments proposed by the Senate to a bill from this House, entitled, an act for the benefit of Sylvester and Rebecca Patton, were twice read and concurred in.

Bills from the Senate of the following titles, viz:

An act for the benefit of Reuben Poland and Martha S. Poland.

An act to change the venue in the prosecution against Hiram Harris.

An act to change the venue in the prosecution against Alexander Frazier.

An act for the benefit of Jane Berryman.

An act for the benefit of Henry D. Wilkerson.

• An act to change the venue in the prosecution of Valentine W. Peyton.

An act for the benefit of William Barnes, Sen., and the widow and heirs of Richard Barnes, deceased.

An act to incorporate the Mt. Alba Female Collegiate Institute, in the county of Breckinridge.

An act to incorporate the Breckinridge College.

An act to authorize the construction of a mill dam across the south fork of Rough creek.

An act for the benefit of Beverly Megary, of Graves county.

Were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

MONDAY, JANUARY, 11, 1847.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act for the benefit of Joseph Brownold and others.

• An act to change the time of holding the spring term of the Jessamine circuit court, with an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to amend an act concerning the town of Albany, in Clinton county, approved February 14th, 1846.

An act authorizing the sale of the jail in the town of Hopkinsville.

An act to add a part of the county of Hopkins to the county of Caldwell.

An act authorizing the Board of Internal Improvement to compromise and settle with Simpson Stout.

An act to amend an act, entitled, an act to incorporate the Lawrence County Coal Mining Company.

1. Mr. Crawford presented the petition of Elias P. Davis, praying the passage of a law allowing him compensation for building a toll house and other buildings on the Owingville and Big Sandy Turnpike Road.

2. Mr. Crockett presented the petition of sundry citizens, praying the establishment of a warehouse and inspection of tobacco at Paducah.

3. Mr. Owens presented the petition of sundry citizens, praying for the same object.

4. Mr. Meriwether presented the petition of Joshua Holtzclaw and John Batman, praying that the name of William Holtzclaw be changed to that of John William Holtzclaw Batman.

5. Mr. Bowman presented the petition of sundry citizens, praying the establishment of a warehouse and inspection of tobacco at Paducah.

6. Mr. Moore presented the petition of Joy Babbit, praying to be divorced from his wife, Edy Babbit.

7. Mr. McArthur presented the petition of Frederick Gosney, praying that compensation be made him for taking care of Greenberry Gosney, a lunatic.

8. Mr. Covington presented the petition of John Whalin, praying a divorce from his wife, Priscila Whalin.

9. Also, the petition of the President and Managers of that part of the Louisville and Nashville Turnpike Road Company, between Bells' Tavern and Franklin, praying that the name of said company be changed, and for other purposes.

10. Mr. Hobbs presented the petition of sundry citizens of the town of Portland, praying the passage of a law authorizing a sale of certain real estate belonging to said town.

11. Mr. Wright presented the petition of sundry citizens of Hickman and Fulton counties, praying the establishment of a State road from Columbus to the State line, in the direction of Dresden, Tennessee.

12. Mr. Crockett presented the petition of F. Medberry, praying that permission be given him to bring into this State certain slaves.

13. Mr. White presented the petition of John Begley, praying to be divorced from his wife, Elizabeth Begley.

14. Also, the petition of Walery Eversole, praying that permission be given him to build a mill dam across the north fork of the Kentucky river.

Which were severally received, the reading thereof dispensed with, and referred; the 1st, 9th, 11th, and 14th to the committee on Internal Improvement; the 2d, 3d and 5th to Messrs. Crockett, Young, Waller, Mansfield,

Spalding, Haggard, Johnson, Soery and Board; the 4th, 10th and 12th to the committee on the Judiciary; the 6th, 8th and 13th to the committee on Religion, and the 7th to the committee on Claims.

A message was received from the Senate announcing the passage of a bill entitled, an act to amend the charter of the Winchester and Lexington Turnpike Company.

The said bill was taken up and read the first time, and ordered to be read the second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act to change the time of holding the county court of Johnson.

An act to change the name of Stephen A. Red to that of Stephen A. Carver.

An act to change the time of holding the April and October terms of the Lewis county court.

An act to amend the laws relating to the town of Frankfort.

An act to establish the town of Rollington in Oldham county.

An act to amend the charter of the Louisville Savings Institution.

An act for the benefit of Isabella Morton.

An act to change the names of William Coffield and Richard M. Womack to William and Richard M. Ford.

An act for the benefit of Mrs. Nancy Cox, of the county of Fleming.

An act for the benefit of Polixna McDaniel.

An act to authorize the use of a portion of the surplus water at dam No. 3, on Green river, on certain conditions.

An act to change the name of James P. Conkin to James P. Hagan, and to legitimate him.

Approved January 9, 1847.

Mr. Glenn, from the committee of Ways and Means, moved the following resolutions, viz:

Resolved, That the committee of Ways and Means be instructed to enquire into the propriety of dispensing with some of the offices established by law; and if any offices can be dispensed with, without injury to the interest of the State, said committee be instructed to report a bill repealing all laws establishing said offices.

Resolved, further, That the same committee be instructed to enquire into the propriety of reducing the expenses of the State Government, and if,

in their opinion, it can be done without injury, they be instructed to report by bill.

Which were adopted.

Mr. Stevenson, from the committee on Internal Improvement, moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of reporting a bill giving authority to the county courts of this Commonwealth to make such such changes in State roads as said courts have now in regard to other roads, and under the same provisions and restrictions.

Which was adopted.

Mr. Waller, from the committee on Education, moved the following resolution, viz:

Resolved, That so much of the Governor's message, as relates to the subject of common schools, be and the same is hereby referred to the committee on Education.

Which was adopted.

Mr. Young, from the committee on Religion, to whom was referred the petition of Rutha Day, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Young, from the same committee, to whom was referred the petition of Abraham and Hulda Netherton, praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Hobbs moved to amend said resolution by striking out "be rejected" and insert "is reasonable."

And the question being taken thereon, it was decided in the negative.

The said resolution was then concurred in.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred the petition of J. & E. Hunt, and the petition of James Jenkins, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred a bill allowing flat boats and other water crafts laden with the products of Carroll county to pass over Dam at Lock No. 1, on the Kentucky river, free of toll in time of high water, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, all flat boats, skiffs, or other description of water craft,

(except steamboats,) laden with the products of Carroll county, shall be allowed to pass over the Dam at Lock No. 1, on the Kentucky river, free of toll, whenever there is sufficient water to allow it without injury to the dam: *Provided, however,* That the Lock Keeper at Lock No. 1, shall be satisfied that said water crafts, embraced within this act, are laden with the products of Carroll county; and for this purpose said Lock Keeper shall have power to administer an oath to the master, owner or hands on said water crafts, as to where said water crafts were laden.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Graves moved to refer said bill to the committee on Internal Improvements, with instructions to report a bill allowing the privilege to all flat boats on the Kentucky, Green and Barren rivers, to pass the Locks and Dams in time of high water.

Mr. Haggard moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Stevens, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Foley,	Oglesby,
Alexander,	Gilbert,	Owens,
Board,	Glenn,	Pearl,
Botts, A. G.	Graves,	Phillips,
Botts, W. S.	Haggard,	Proctor,
Bowman,	Hager,	Reed,
Brown,	Hall,	Riddle,
Bush,	Hanson,	Rouse,
Clarke,	Harrison,	Smith,
Cobb,	Hord,	Soery,
Coleman,	Hoy,	Spalding,
Crawford,	Ireland,	Stevens,
Crockett,	Johnston,	Stewart,
Desha,	Jones, J. R.	Talbutt,
Devereux,	Jones, W. L.	Wade,
Dickerson,	Jordan,	Wheeler,
Durbin,	McArthur,	White,
Elliott, J.	McCallister,	Williams,
Elliott, M.	Mitchell,	Wortham,
Evans,	Morton,	Wright—60.

Those who voted in the negative, were—

Messrs. Alnut,	Irvin, J.	Poor,
Armstrong,	Mansfield,	Rhea,
Beeler,	Marshall,	Salter,
Bell,	Martin,	Stevenson,
Bowmar,	Mayhall,	Tandy,
Boyd,	Mays,	Thomas,
Bradford,	McHenry,	Thompson,

Covington,
English,
Fletcher,
Hobbs,

Meriwether,
Moore,
Munford,
Page,

Towles,
Vertress,
Waller,
Young—33.

Mr. Desha, from the committee on Military Affairs, reported a bill for the benefit of Samuel C. Trotter and others, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Haggard, from the committee on Agriculture and Manufactures, to whom was referred bills of the following titles, viz:

A bill to amend an act, entitled, an act to regulate the weight of grain, approved February 8, 1845.

A bill to regulate the weighing of salt shipped from Goose Creek Salt works.

Reported the same without amendment.

And the question being taken on engrossing and reading said bills a third time, it was decided in the negative, and so the said bills were rejected.

The Speaker laid before the house the annual report of the President and Directors of the Louisville and Portland Canal Company, which is as follows, viz:

Twenty-second annual report of the President and Directors of the Louisville and Portland Canal Company.

The balance in the Treasury as shown by the last report, was appropriated in the purchase of shares, and 655 shares were taken, as authorized by a resolution of the stockholders, and the amount charged in the general account of the Company which is as follows:

Louisville and Portland Canal Company in General Account :

DEBITS.

Balance of cash on hand January 1st, 1846,	-	-	\$100,164 00
Received for Canal tolls in 1846,	-	-	149,401 84
			<hr/>
			\$249,565 93
			<hr/>

CREDITS.

By 665 shares of stock purchased and paid for,	-	-	\$117,705 00
By expenses on the Canal,	-	-	15,849 69
By tax to the State of Kentucky, and costs,	-	-	3,490 00
By incidental expenses, of salaries, and office charges,	-	-	1,739 94
Balance of cash in the Treasury,	-	-	110,781 30
			<hr/>
			\$249,565 93
			<hr/>

The balance on hand will be immediately appropriated in the purchase of about 665 shares of stock, as authorized by act of Assembly, which added to those purchased in the three previous years, will make the United States virtually the owner of 6,018 shares, leaving but 3,982 shares to be hereafter liquidated.

The unprecedented high water in the Ohio river during the spring and fall of the past year has deprived the Company of the receipt of tolls for six weeks of the most busy seasons, which would have given an amount equal to the most favorable year.

From the large interest of the Government of the United States in the Canal, the Board have deemed it right to permit boats exclusively employed by the United States to pass through the Canal free of toll, many of which, with troops and munitions of war, have availed of this privilege the past year.

It will be noticed by an item in the above account that the State of Kentucky has taxed the entire property and franchises of the Canal, consequently no stockholder can be holden to give in the amount of his stock for taxation and thus be subjected to a double tax.

The annexed table shows the number and tonnage of boats that have passed through the canal since its commencement.

Respectfully submitted,

JAMES MARSHALL, *President.*

Office of the Louisville and Portland Canal Company, Dec. 31st, 1846.

S. S. GOODWIN, *Secretary.*

Abstract of the Boats that have passed, and Tolls received on the Louisville and Portland Canal.

Year.	Steam Boats.	Flat and Keel Boats.	Tons.	Amount received.
1831	406	421	76,323	\$12,750 77
1832	453	179	70,109	25,756 12
1833	875	710	169,885	60,736 92
1834	938	623	162,000	61,848 17
1835	1,256	355	200,413	80,165 24
1836	1,182	260	182,220	88,343 23
1837	1,501	165	242,374	145,424 69
1838	1,058	438	201,750	121,107 16
1839	1,666	578	300,406	180,364 01
1840	1,231	392	224,841	134,904 55
1841	1,031	309	189,907	113,944 59
1842	983	183	172,755	95,005 10
1843	1,206	88	232,264	107,274 65
1844	1,476	168	304,384	140,389 97
1845	1,585	394	318,741	138,291 17
1846	1,626	283	341,695	149,401 84
	18,443	5,546	3,390,387	\$1,655,708 18

At a meeting of the stockholders of the Louisville and Portland Canal Company, at their office in the city of Louisville, January 4, 1847, the report of the President and Directors was received and ordered to be printed.

The following persons were then duly elected President and Directors for the present year.

JAMES MARSHALL,	<i>President.</i>
SIMEON S. GOODWIN,	} <i>Directors.</i>
JOHN HULME,	
RICHARD RONALDSON,	
PETER HULME,	

Whereas the individual stockholders in this Company have offered to sell and transfer to the Company, proportions of their stock, under the conditions of the amended charter of the Company, as adopted by the stockholders at their meeting on the 4th July, 1842:

Resolved, That the Board of President and Directors proceed to purchase the number of shares that the net income of the Company will warrant, by taking from each individual stockholder the number of shares he is entitled to sell under the arrangement adopted by the stockholders.

C. W. SHORT, *Chairman.*

[*Extract from the Minutes.*]

S. S. GOODWIN, *Secretary.*

Mr. Meriwether, from the committee on Propositions and Grievances, to whom was referred the bill to remove the seat of justice of the county of Mason, from the town of Washington to the city of Maysville, reported the same with amendments, which were concurred in.

On motion of Mr. Meriwether,

Ordered, That said bill be referred to a committee of the whole House for this day.

The House accordingly resolved itself into a committee of the whole on said bill, Mr. McHenry in the Chair; and after some time spent therein the Speaker resumed the Chair; when Mr. McHenry reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

Mr. Pearl, from the managers appointed by this House, preferred the following articles of impeachment against John A. Duff, surveyor of Perry county, which are as follows, viz:

In the name of the House of Representatives of the General Assembly of the Commonwealth of Kentucky, and all the people of said Commonwealth; and by the authority of the same, the said House of Representatives, doth find, present and prefer the following articles against John A. Duff, Surveyor of Perry county, in maintainance and support of their impeachment against him for high crimes and misdemeanors in office.

ARTICLE 1.

That, unmindful of the solemn duties of his office, and contrary to the sacred obligation by which he stood bound to discharge them, faithfully and impartially, the said John A. Duff, Surveyor of Perry county, did, within the years, 1825, 1830, 1835, 1840, and 1845, negligently fail to enter into bond and security as required by law in such cases, and hath wholly failed to execute bond since the year 1831, and hath, by such failures, committed five separate distinct misdemeanors in office, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 2.

That, unmindful of the public good and with a view to use his office for selfish purposes, the said John A. Duff, Surveyor as aforesaid, did, on the first day of June, in the year of our Lord one thousand eight hundred and twenty five, and on divers other days and times, refuse to permit Elijah Combs, and many other citizens of the county of Perry, to examine the books and records of his office, declaring that they belonged to him and not to the public. By means of which the said Duff has been benefitted at the expense of the public, in making confusion and confictions in appropriating the vacant lands, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 3.

That, using his office and the power conferred upon him by the Constitution and laws, to the manifest injury and oppression of the people, and to the execution of his own selfish and sinister ends, the said John A. Duff, Surveyor as aforesaid, having been employed by a certain Stephen Campbell, to furnish the warrant, and survey for him fifty acres of vacant land, and the said Stephen Campbell afterwards having sold the right to have said land surveyed, to Samuel Campbell, and the said Samuel Campbell having clearly identified the said land to the said Duff, he, the said Duff, did, on the 10th day of June, in the year of our Lord one thousand eight hundred and forty, in the said county of Perry, wilfully and corruptly, while pretending to cover by a survey the fifty acres of vacant land the said Samuel Campbell intended to appropriate, make the survey cover other and different land, which was poor and worthless, for the corrupt purpose of compelling the said Samuel Campbell to again employ him, the said Duff, to make another survey and furnish another fifty acre warrant, to save and cover the land which the said Duff well knew the said Campbell intended to appropriate. By means of which the said Duff did compel the said Campbell, to purchase another fifty acre land warrant, and have another survey made by the said Duff to cover the fifty acres of land the said Samuel Campbell wished to appropriate, and did extort from the said Campbell, in the manner aforesaid, the sum of \$28 50 cents, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 4.

That, wholly disregarding the interest and rights of others, the said John A. Duff, surveyor as aforesaid, did, on the first day of August, in the year

of our Lord one thousand eight hundred and thirty nine, in said county of Perry, receive the legal fees from Jeremiah Combs, to enter and survey a well known and well described boundary of vacant land lying on the waters of Loss Creek, in said county of Perry, and did promise to survey the same for the said Combs. But the said Duff, contriving to cheat and defraud the said Combs, did not nor would not, according to his promise and the duties of his office, enter and survey the said boundary of vacant land for the said Combs, although often requested so to do, to the manifest injury of the said Combs, and against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 5.

That the said John A. Duff, Surveyor as aforesaid, did, on the first day of February, in the year of our Lord one thousand eight hundred and forty, in the said county of Perry, for the purpose of corrupt gain, survey for Henry Combs, 200 acres as vacant and unappropriated land, which had been surveyed by the said Duff only a few days before for a certain Alexander Combs and appropriated by him, which was well known to the said Duff; but the said Duff fraudulently, for the purpose of making his fees, concealed the fact of the entry and survey for Alexander Combs from the said Henry Combs, and thereby compelled him, the said Henry Combs, illegally and unjustly, to pay him, the said Duff, the sum of \$3 75 cents, for each hundred acres of the said 200 acres, to the injury of the said Henry Combs, and against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 6.

That the said John A. Duff, Surveyor as aforesaid, did, on the 20th day of June, in the year of our Lord one thousand eight hundred and forty two, in said county of Perry, corruptly survey and appropriate one hundred and fifty acres of vacant land for a certain William Stamper, after he, the said Duff, had for a stipulated price, to-wit, the sum of \$30, agreed to furnish the warrants and make three fifty acre surveys for a certain Larkin Collins, and the said Collins had often requested the said Duff to appropriate and survey the said vacant land for him. But the said Duff, disregarding his promise and the duties of his office, subsequent to his promise and the request of the said Collins, did appropriate and survey the said one hundred and fifty acres of vacant land aforesaid, for the said William Stamper, thereby selling his official acts to the highest bidder, against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 7.

That the said John A. Duff, Surveyor as aforesaid, did, on the third day of July, in the year of our Lord one thousand eight hundred and forty, in the said county of Perry, in making a survey of vacant land for a certain James N. Brashears, wilfully and corruptly leave out the level and valuable land the said Brashears intended to appropriate, notwithstanding the said Brashears was present directing him, the said Duff, to cover the same by the said survey. But the said Duff, fraudulently intending to cheat the said Brashears out of the valuable land he intended to appropriate, falsely and fraudulently represented to the said Brashears, that he had surveyed and ap-

propriated the valuable portion of said vacant land in his own name, and positively refused to survey the same for the said Brashears, when in truth and in fact, the said Duff had not surveyed and appropriated the said land. By means of which, he cheated and defrauded the said Brashears, against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 8.

That the said John A. Duff, Surveyor as aforesaid, did, on the first day of June, in the year of our Lord one thousand eight hundred and forty two, in said county of Perry, extort from a poor widow, Malinda Merdy, for making for her a fifty acre survey, the illegal, unjust and iniquitous fee of ten dollars, and refused to make for her another fifty acre survey, although the legal fees were tendered, and he, the said Duff, repeatedly requested to make the same, against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 9.

That the said John A. Duff did, in the year of our Lord one thousand eight hundred and forty two, on the 21st day of July, corruptly and illegally charge, and receive and extort, by means of his office, the unjust and illegal fee of ten dollars, in addition to his legal fees for getting and procuring the patents for two fifty acre surveys, for James Williams. And for the purpose of exacting the said sum from the said Williams, the said Duff did corruptly refuse to let the said Williams have the plats and certificates of said surveys, when the said Williams had an opportunity of sending them to the Register's office, without cost or charge, and by so refusing did extort and receive from the said Williams the ten dollars aforesaid, for procuring the patents aforesaid, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 10.

That the said John A. Duff, Surveyor as aforesaid, did, on the tenth day of June, in the year of our Lord one thousand eight hundred and forty four, in said county of Perry, corruptly fail and refuse to swear William Campbell and others as chain carriers, and to make several surveys, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 11.

That the said John A. Duff, Surveyor as aforesaid, did, on the tenth day of July, in the year of our Lord one thousand eight hundred and forty three, in the said county of Perry, corruptly extort from a certain Patrick B. Napier, for furnishing the land warrant, and making a fifty acre survey, the unjust and illegal fee of fifteen dollars; and for the corrupt purpose of inducing the said Napier to give said fee, the said Duff fraudulently represented that he had entered and surveyed the same for his son Henry Duff, when in truth and in fact, he had not so entered and surveyed it, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 12.

That the said John A. Duff, Surveyor as aforesaid, did, on the 4th day of December, in the year of our Lord one thousand eight hundred and forty four, in said county of Perry, corruptly procure, and retain in his possession, a patent belonging to, and in the name of Solomon Everidge, for the corrupt purpose of extorting and exacting from the said Everidge the fee of five dollars, to get his patent aforesaid out of the hands of the said Duff; and the said Duff hath hitherto wholly failed and refused to deliver the same to the said Everidge, although often requested, unless the said Everidge would first pay him, the said Duff, the said fee of five dollars, and still retains the same, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 13.

That the said John A. Duff, Surveyor as aforesaid, did, on the tenth day of January, in the year of our Lord one thousand eight hundred and forty one, in the said county of Perry, unjustly and illegally extort from a certain Rachael Everidge, (a poor widow,) the unjust and illegal sum of eight dollars, as his fee for making an hundred acre survey for her, and did wholly fail and refuse to make out a plat and certificate for the same, or to return the warrant, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 14.

That the said John A. Duff, Surveyor as aforesaid, did, on the tenth day of November, in the year of our Lord one thousand eight hundred and forty three, in the said county of Perry, make a fifty acre survey for Patrick B. Napier, and failed to swear the chain carriers, and did corruptly and falsely certify, in this plat and certificate, that the said chain carriers had been sworn, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

ARTICLE 15.

That the said John A. Duff, Surveyor as aforesaid, did, on the fifteenth day of June, in the year of our Lord one thousand eight hundred and thirty seven, in the said county of Perry, not having the fear of God before his eyes, alter, change and forge a fifty acre survey to an hundred acres, and did change and forge the date of said survey, and the names of the chain carriers and marker, which appears to be in the name of John Duff, and lying and being on the Lick branch of the Clear-fork of Troublesome-fork of the North-fork of the Kentucky river, in the county of Perry and State of Kentucky; and did return said altered, changed and forged survey, plat and certificate, to the Register's office, for the corrupt purpose of cheating and defrauding the Commonwealth and the county of Perry out of their vacant lands, thereby grossly abusing the high trust delegated to him by the constitution and laws, and disregarding his oath and the good of the people, contrary to the statute, and against the peace and dignity of the Commonwealth of Kentucky.

And the said House of Representatives, by protestation, saving to themselves the liberty of exhibiting, at any time hereafter, any further articles or

other accusation or impeachment against the said John A. Duff, Surveyor of Perry county, and also of replying to his answers which he shall make unto the said Articles, or any of them, and offering proof to all and every the aforesaid articles, and all and every other articles, impeachment or accusation, which shall be exhibited by them, as the case shall require, do demand that the said John A. Duff may be put to answer the said crimes and misdemeanors, and that such proceedings, examinations, trials and judgments, may be thereupon had and given, as are agreeable to law and justice.

Upon these, the foregoing charges, the said John A. Duff, Surveyor of Perry county, stands impeached by the House of Representatives.

GRANVILLE PEARL,
GEORGE ARMSTRONG, } *Managers.*
WM. S. BOTTS.

JOHN J. GODSEY,
Petitioner and Prosecutor.

On motion of Mr. Pearl,

Resolved, That the articles agreed to by this House, to be exhibited in the name of themselves and of all the people of the Commonwealth of Kentucky against John A. Duff, surveyor of Perry county, in maintenance of their impeachment against him for high crimes and misdemeanors, be carried to the Senate by the managers appointed to conduct said impeachment.

Resolved, That a message be sent to the Senate to inform them that this House have appointed managers to conduct the impeachment against John A. Duff, surveyor of Perry county, and have directed the said managers to carry to the Senate the articles agreed upon by the House, to be exhibited in maintenance of their impeachment against the said John A. Duff, and that the clerk of this House do go with the said message.

And then the House adjourned.

TUESDAY, JANUARY 12, 1847.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act to incorporate the Sharpsburg Male and Female Academy.

An act to incorporate the town of Lower Cloverport, in Breckinridge county.

An act to abolish the benefit of clergy.

An act for the benefit of John D. Locke, a lunatic.

An act to incorporate the Old School Presbyterian Church, in Newport, Kentucky.

That they had passed bills of the following titles, viz:

An act for the benefit of the heirs of William McKittrick, deceased.

An act for the benefit of the heirs of Mabry T. Cox.

An act to authorize Henry S. Mitchell to lay off a towu in Allen county.

An act divorcing Catharine W. Hutchison from her husband, Parker N. Hutchison.

An act to divorce Letitia Ann Casey, and to restore her to her maiden name.

That they had passed a resolution for the final adjournment of the General Assembly.

And had received official information from the Governor, that he had, on the 9th instant, approved and signed an enrolled bill which originated in the Senate, entitled, an act to extend the time for the Judge of the 19th Judicial District to remove into his district.

2. Mr. Owens presented the petition of William S. Patterson, clerk of the Russell county court, praying that he be released from the payment of a sum of money with which he is chargeable for clock pedler's license improperly issued.

2. Mr. Haggard presented the petition of William Grissom, praying to be divorced from his wife, Mary Grissom.

3. Mr. McCallister presented the petition of sundry citizens of Henderson county, praying a change in the place of voting in an election precinct in said county.

4. Mr. Haggard presented the petition of sundry citizens of Cumberland county, praying the establishment of a State warehouse and tobacco inspection.

5. Also, the petition of Cyrus Pharis, praying to be divorced from his wife, Mary Pharis.

6. Mr. Young presented the petition of C. R. Crouch and others, praying to be released from liability upon a bond given by them for the safe keeping and return of certain public arms.

7. Mr. Hay presented the petition of George O. Prouce and Green W. Richardson, praying permission to erect a fish dam across Pond river.

8. Mr. Graves presented the petition of Augustine B. Offutt, Hale Lloyd and John Rogers, praying compensation for apprehending a fugitive from justice.

9. Mr. Haggard presented the petition of the heirs of Elam Baker, deceased, praying the passage of a law authorizing the sale of certain real estate of said deceased.

10. Mr. Bowmar presented the petition of H. A. Woodson, executrix of Robert S. Woodson, deceased, praying the passage of a law authorizing a sale of certain slaves belonging to the estate of said deceased.

11. Mr. Dickerson presented the petition of Thornton F. Johnson, praying that certain taxes paid by him to the State be refunded.

12. Mr. Crockett presented the petition of sundry citizens of Ballard county, praying a change in the place of voting in an election precinct in said county.

13. Mr. Covington presented the petition of the Chairman and Trustees the town of Bowlinggreen, praying the passage of a law authorizing the paving and curbing the side walks in said town.

14. Mr. Poor presented the petition of C. A. Wilson, praying the passage of a law confirming an exchange of a lot of ground made between him and the trustees of the town of Russellville.

15. Mr. Board presented the petition of Elisha Crutchfield, praying that he be permitted to import into this State a slave.

16. Mr. Moore presented the petition of Richard B. Neal, praying to be divorced from his wife, Polly Neal.

17. Mr. Soery presented the petition of C. D. Bradly and Daniel Hillman, praying that the names of Thomas and Jane Holder, and the name of John Bradley and Lucy Mira Bradley, be changed to Thomas, Jane, John and Lucy Mira Watson.

18. Mr. White presented the petition of Levi Johnston, praying compensation for keeping an idiot child.

19. Also, the petition of Louisa Hagins, praying to be divorced from her husband, Thomas Hagins.

20. Mr. Steele presented the petition of Oscar Pepper, praying that a sum of money paid by him for pubic arms upon a judgment by the General Court be refunded.

Which were severally received, the reading thereof dispensed with, and referred; the 1st, 9th, 10th, 15th and 17th to the committee on the Judiciary; the 2d, 5th, 16th and 19th to the committee on Religion; the 3d and 12th to the committee on Privileges and Elections; the 4th to Messrs. Crockett, Young, Waller, Mansfield, Spalding, Haggard, Johnston, Soery and Board; the 6th and 20th to the committee on Military Affairs; the 7th to the committee on Internal Improvement; the 8th to Messrs. J. R. Jones, Abell, Wade and Salter; the 11th to the committee on Ways and Means; the 13th to Messrs. Covington, Rhea and Hoy; the 14th to the committee on Propositions and Grievances, and the 18th to the committee on Claims.

• Mr. Munford, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz :

An act to take the sense of the people of this State as to the propriety of calling a convention.

An act for the benefit of Henry D. Wilkerson.

• An act for the benefit of Reuben Poland and Martha S. Poland.

An act to change the venue in the prosecution against Alexander Frazier.

An act to change the venue in the prosecution against Hiram Harris.

An act to change the venue in the prosecution of Valentine W. Peyton.

An act for the benefit of William Barnes, Sen., and the widow and heirs of Richard Barnes, deceased.

An act for the benefit of Jane Berryman.

An act to incorporate the Mt. Alba Female Collegiate Institute, in the county of Breckinridge.

An act to incorporate the Breckinridge College.

An act to authorize the construction of a mill dam across the south fork of Rough creek.

An act for the benefit of Beverly Megary, of Graves county.

An act to amend the charter of the Winchester and Lexington Turnpike Company.

A resolution concerning certain repairs to the State House.

Also, enrolled bills and a preamble and resolutions which originated in this House of the following titles, viz:

An act for the benefit of Richard Buchanan and Benjamin Hayden.

An act for the benefit of Sylvester and Rebecca Patton.

An act for the benefit of Joseph Brownold and others.

Preamble and resolutions in relation to the increase of the pay of the volunteers of the Mexican war.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. Ireland asked leave to withdraw the petition of George S. Gravit, which was granted, and the petition was withdrawn.

Mr. Waller asked leave to withdraw the petition of Rutha Day, which was granted, and the same was withdrawn.

Mr. Spalding asked leave to withdraw the petition of Maria J. Shelby, which was granted, and the same was withdrawn.

Mr. McArthur asked leave to withdraw the petition of Jane Duddy, which was granted, and the same was withdrawn.

A message was received from the Senate by Mr. Thornton, asking leave to withdraw the report of the Senate announcing the passage of a bill from this House with an amendment, entitled, an act to change the time of holding the spring term of the Jessamine circuit court, which was granted, and the bill was withdrawn.

The House again resolved itself into a committee of the whole on the bill to remove the seat of justice of the county of Mason, from the town of Washington to the city of Maysville; Mr. McHenry in the chair; and after some time spent therein the Speaker resumed the chair; when Mr. McHenry reported that the committee had, according to order, had under consider-

ration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

WEDNESDAY, JANUARY, 13, 1847.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act declaring the Louisa fork of Big Sandy river a navigable stream.

An act to change the names of Jacob McClung and Pleasant McClung.

An act to change the name of Joab Hoffman to that of Joseph Hoffman.

An act for the benefit of Syllodon Sidney Smith.

An act for the benefit of Richard Darnell.

An act for the benefit of Charles H. Smith.

An act for the benefit of Artimesia Jones and James Jones.

An act allowing additional Justices of the Peace to Graves and Muhlenburg counties.

An act for the benefit of William Long and Ann Elizabeth Long.

An act for the benefit of John S. Page and others.

An act for the benefit of James Cunningham, of Trigg county.

An act to declare Whippoorwill a navigable stream.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act to amend the charter of the Paducah Marine Railways and for other purposes.

An act to extend the terms of the Fayette circuit court and for other purposes.

An act for the benefit of Isaac Ayres.

And that the Senate will now receive the articles of impeachment against John A. Duff, surveyor of Perry county, who stands impeached by the House of Representatives for high crimes and misdemeanors.

1. Mr. McHenry presented the petition of Sanders Shanks, praying that he be released from an obligation given for the safe keeping and return of public arms.

2. Mr. Hobbs presented the remonstrance of sundry citizens of Jefferson county, against being cut off from said county, and thrown into a new county proposed to be formed out of parts of Hardin, Bullitt, Meade and Jefferson counties.

3. Mr. Glenn presented the petition of sundry citizens of Todd county, praying the establishment of a State warehouse and inspection of tobacco.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on Military Affairs; the 2d to the committee on Propositions and Grievances; the 3d to Messrs. Crockett, Young, Waller, Munford, Spalding, Haggard, Johnson, Soery and Board.

The Speaker laid before the House the response of the President of the Board of Internal Improvement to a resolution from this House of the 8th instant, which is as follows, viz:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
January, 1847. }

The Hon. L. COMBS,

Speaker of the House of Representatives:

SIR:—In obedience to the resolution of the House of Representatives of the 8th inst., I have the honor to report as follows:

The 31st section of the Internal Improvement act of 1835-6, page 537, authorizes the Board of Internal Improvement to make subscriptions to the following counties, of *one thousand dollars* each, (\$1,000,) so soon as they respectively raise the sum of five hundred dollars, (\$500,) viz:

To Meade county,	-	-	-	-	\$1,000
To Breckinridge county,	-	-	-	-	1,000
To Hancock county,	-	-	-	-	1,000
To Daviess county,	-	-	-	-	1,000
To Henderson county,	-	-	-	-	1,000
To Union county,	-	-	-	-	1,000

In all,	-	-	-	-	<u>\$6,000</u>
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The above \$6,000, together with the \$3,000 to be raised by said counties, were to be expended to improve the State and Stage road leading from the mouth of Salt river to Shawneetown. The same section authorized the Board to subscribe to the counties of Morgan and Lawrence each, the sum of \$2,000, to improve certain roads and bridges, whenever said counties shall have raised and subscribed, respectively, the sum of \$1,000.

The third and fourth sections of an act, entitled, "an act to establish a State road from the mouth of Salt river to Bowlinggreen, through Grayson county," approved the 18th of February, 1839, authorize the Board of Internal Improvement to subscribe, and pay, to the counties of Grayson and Edmonson, two dollars for every one dollar raised and subscribed by said counties.

The 16th section of the Internal Improvement act of 1837-8, authorizes the Board of Internal Improvement to subscribe, pay, and expend, in the county of Breckinridge, an additional sum of not exceeding \$3,000, whenever said county shall raise one half of said sum.

In November, 1836, the County Court of Breckinridge county levied a special tax of \$500, and applied to the Board of Internal Improvement for the subscription on the part of the State, *first above alluded to*; and, on the 3d of January, 1838, David R. Murray, and others, commissioners on the

part of said county, informed the Board that they had received, from the Court of said county, the further sum of \$1,500, and applied to the Board for the additional subscription authorized by the act last referred to.

At the November term, 1837, the County Court of Hancock levied a special tax of \$500, and applied to the Board for a subscription, as authorized by the act aforesaid.

At the June term, 1836, the County Court of Daviess levied a special tax of \$500, and made application to the Board for the subscription on the part of the State, as authorized by the act aforesaid.

At the October term, 18—, the County Court of Henderson levied a special tax of \$500, and made application to the Board for their subscription on the part of the State, authorized by said act.

At the July term of 1837, the County Court of Union levied a special tax of \$500, and made application to the Board for the proportionate subscription on the part of the State.

In June, 1839, Isaac Thomas, and others, having received from the County Court of Grayson, and sundry individuals of said county, the sum of \$841 50, made application to the Board for the subscription authorized on the part of the State.

In June, 1839, Augustus M. Barrett, having received from the County Treasurer of Edmonson, and sundry citizens of said county, the sum of \$705, made application to the Board for the authorized subscription on the part of the State.

Upon making of the several applications aforesaid, the Board of Internal Improvement, under the authority of the laws referred to, made subscriptions and payments as follows, to-wit:

1837.	Dec. 7.—To Breckinridge county,	-	-	\$1,000
1839.	Jan. 29.—To Breckinridge county,	-	-	3,000
				<hr/> \$4,000
1838.	Jan. 26.—To Hancock county,	-	-	1,000
1837.	Dec. 7.—To Daviess county,	-	-	1,000
1838.	Jan. 26.—To Henderson county,	-	-	1,000
1839.	Feb. 15.—To Union county,	-	-	1,000
1839.	Dec. 19.—To Grayson county,	-	-	500
1839.	June 10.—To Edmonson county,	-	-	460
				<hr/> \$8,960

It will be seen from the foregoing statement, that each of the aforesaid counties, *making application*, have received the full amount authorized to be paid to them, except Grayson and Edmonson. To the former of the two last named counties, \$1,183, and to the latter, \$950.

No application has been made by either Lawrence, Morgan, or Meade counties; and the Board, as will be seen above, has made no payment since December, 1839, there being no appropriation or fund set apart for that purpose.

When it was ascertained that the resources of the Sinking Fund would not be sufficient to enable the State to proceed with the numerous works then contracted for, the Legislature passed an act forbidding their further

progress, and, consequently, the class of claims above referred to, had to share the same fate of the various contracts upon rivers and turnpikes that had not been completed.

I have the honor to be,

With profound respect,

THOMAS METCALFE, *P. B. I. I.*

Ordered, That the Public Printer forthwith print 150 copies of said response for the use of the General Assembly.

The Speaker laid before the House the annual report of the superintendent of Public Instruction, which is as follows, viz:

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly;

Leave was given to bring in the following bills, viz:

On the motion of Mr. Williams—1. A bill to enable the wife of James S. Chrisman to unite with him in the conveyance of certain lands descended to her from her ancestor.

On the motion of Mr. Crockett—2. A bill to authorize the county court of McCracken county to sell or remove the court house and build a new one, and for other purposes.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, and Messrs. Crockett, Board and Wright the 2d.

Mr. Meriwether, from the committee on Propositions and Grievances who were directed to bring in the following bills, viz:

A bill for the benefit of George Stivers.

A bill for the benefit of Frederick Nance.

Asked to be discharged from the further consideration thereof, which was granted.

Ordered, That the committee on the Judiciary prepare and bring in the same.

Mr. Reed read and laid on the table the following resolutions, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That a joint committee be appointed to enquire into the present organization of the Board of Internal Improvement of this Commonwealth, and that they be required to report, whether in their opinion, the present organization of said Board may not be so modified, changed, or amended, as to improve that department of the public service.

2. *Resolved*, That said committee also enquire into the propriety of the further extension of the slackwater navigation on the Kentucky river, and if they be of opinion that such extension is advisable, that they report the means of such extension.

3. *Resolved*, That if said committee shall be of opinion that such extension is advisable, that they be especially directed to enquire into the practicability of applying the convict labor of the Penitentiary to such improvement; and should they be of opinion, that a system of improvement through

such means may be successfully set on foot, that they be directed to enquire what arrangement, if any, may be made with the present Lessees of the of the Penitentiary, consistently with the ends proposed, to extinguish their lease.

Mr. Meriwether, from the committee on Propositions and Grievances, to whom was referred the petition of John Cole, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Claims.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Hobbs—1. A bill to amend the law relating to acknowledgment of deeds, &c., by femes covert.

By the committee on Propositions and Grievances—2. A bill to amend the patrol law of Clarke county.

By Mr. Page—3. A bill to amend an act, entitled, an act for the benefit of John Duerson, approved January 31, 1846.

By Mr. Stevenson—4. A bill to incorporate the Licking and Lexington Railroad Company.

By Mr. Spaulding—5. A bill for the benefit of George F. Catlett, late Sheriff of Union county.

By Mr. Steele—6. A bill to amend the laws upon the subject of mortgages, deeds of trust or assignments.

By Mr. Graves—7. A bill for the benefit of Augustine B. Offutt.

By Mr. Alnut—8. A bill for the benefit of W. G. Simpson, H. Todd, and H. H. Calvert, and for other purposes.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st and 6th were referred to the committee on the Judiciary; the 2d, 3d, and 5th were severally ordered to be engrossed and read a third time; the 4th was referred to the committee on Internal Improvement; the 7th to the committee on Claims, and the 8th to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 2d, 3d and 5th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House again resolved itself into a committee of the whole, on the bill to remove the Seat of Justice of Mason county, from the town of Washington to the city of Maysville; Mr. McHenry in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. McHenry reported that the committee had, according to order, had under consideration

the bill aforesaid, and had instructed him to report the same to the House, without amendment; and he handed the same in at the clerk's table.

The question was then put, shall the bill be engrossed and read a third time.

And after some discussion had thereon,

The House adjourned.

THURSDAY, JANUARY, 14, 1847.

A message was received from the Senate announcing the passage of a bill from this House, entitled, an act for the benefit of Charles Hays.

That they had passed bills of the following titles, viz;

An act for the benefit of the mechanics of the town of Louisa.

An act authorizing a settlement with the Board of Internal Improvement.

1. Mr. W. S. Botts presented the petition of John R. Ringo, and others in his behalf, praying to be released from a judgment obtained against him and others as securities of the late Sheriff of Fleming county, in the County Court of said county, for the county levy taxes unaccounted for.

2. Mr. Mayhall presented the petition of sundry citizens of Hancock county, praying a discontinuance of a State road passing through said county.

3. Also, the petition of Thomas Cook, praying to be divorced from his wife, Harriet Cook.

4. Also, the petition of Mahala E. Askins, praying to be divorced from her husband, George N. Askins.

5. Mr. Smith presented the remonstrance of sundry citizens of Hancock county, against a discontinuance of a State road passing through said county.

6. Mr. Hobbs presented the remonstrance of sundry citizens of Jefferson county, against the formation of a new county out of parts of said county, and the counties of Bullitt, Hardin and Meade.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on Ways and Means; the 2d, 5th and 6th to the committee on Propositions and Grievances, and the 3d and 4th to the committee on Religion.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Bowman—1. A bill to allow an additional constable to Casey county.

On the motion of Mr. Hall—2. A bill to incorporate a company to construct a turnpike road from Dr. West's, in Bath county, to Samuel Arnett's, in Nicholas county.

On the motion of Mr. Bush—3. A bill to legalize the proceedings of the 17th Regiment of Kentucky Militia.

Ordered, That Messrs. Bowman, Smith and Wortham prepare and bring in the 1st; Messrs. Hall, Fletcher, Hanson and Talbutt the 2d, and Messrs. Bush, Hobbs, Young and Stewart the 3d.

Mr. Wheeler, from the committee appointed to prepare and bring in the same, reported a bill to provide for running and marking the line between the counties of Campbell and Pendleton, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. R. Jones, from the committee appointed to prepare and bring in the same, reported a bill to increase the jurisdiction of the chancery courts of this Commonwealth, which was read the first time.

And the question being taken on ordering said bill to be read a second time, it was decided in the negative, and so the said bill was rejected.

The House again resumed the consideration of the bill to remove the seat of justice of Mason county, from the town of Washington to the city of Maysville.

Mr. Desha moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill be engrossed and read a third time? and it was decided in the affirmative.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the seat of justice for the county of Mason be and the same is hereby removed from the town of Washington, and established in the city of Maysville; and the edifice erected in said city, called the city hall, and conveyed to the said county of Mason, is hereby established as the court house, and the place in which the circuit and county courts of said county shall be held, after the first day of April next, on the days now fixed by law: *Provided, nevertheless*, that if said city council shall fail or refuse, by their President or some one duly authorized by him, to execute the bond required by the third section, then this act shall be null and void.

Sec. 2. That the clerk of the circuit and county courts of said county, shall, on or before the said first day of April next, remove all the books of record and papers belonging and appertaining to the respective offices aforesaid, to the said court house in Maysville, and shall thereafter keep the said offices in such rooms in said building as he may select or the county court de-

signate: *Provided*, that the room in the basement of said building, set apart and now used by the Mayor and Council of said city of Maysville, be and the same is reserved to the use of said city; and the city authorities of said city shall have the control of the clock on said building; and all the other parts of the said building shall be under the control of the proper authorities of the said county of Mason.

SEC. 3. That the City Council of Maysville having agreed to erect in said city a good and sufficient jail for the use of said county, and to furnish a stray pen: now,

Be it enacted, That said jail and stray pen shall be erected by said City Council on or before the first day of November next; and said City Council, by their President, or his Agent, duly authorized by him, shall at some county court to be holden in said county, on or before the said first day of April next, execute a bond to the said county court, in the penal sum of five thousand dollars, conditioned for the erection of said jail and appurtenances, in said time, and the conveyance of the same to the said county; and said county court shall have authority to prosecute a suit on said bond, in the Mason circuit court, upon failure of said City Council to erect said jail, and convey the same as aforesaid, and to recover the penalty thereof, and to proceed therewith to cause a sufficient jail and appurtenances to be erected.

SEC. 4. That the present jail of Mason county shall be used and continue as the jail of said county until said new jail shall be finished.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Meriwether moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Smith were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hanson,	Rouse,
Messrs. Alnut,	Hobbs,	Smith,
Botts, A. G.	Hord,	Spurr,
Botts, W. S.	Irvine, D.	Steele,
Bush,	Irvin, J.	Stevenson,
Clarke,	Jones, W. L.	Stewart,
Crawford,	Marshall,	Tabbutt,
Covington,	Mayhall,	Tandy,
Dickerson,	McArthur,	Thomas,
Elliott, J.	Mitchell,	Thompson,
Elliott, M.	Moore,	Walker,
Fletcher,	Munford,	Waller,
Foley,	Page,	White,
Gilbert,	Pearl,	Williams,
Glenn,	Phillips,	Wright,
Graves,	Poor,	Young—50.
Hall,	Proctor,	

Those who voted in the negative, were—

Messrs. Abell,	Durbin,	McHenry,
Alexander,	English,	Meriwether,
Armstrong,	Evans,	Morton,
Beeler,	Haggard,	Oglesby,
Bell,	Hager,	Owens,
Board,	Harrison,	Reed,
Bowman,	Hay,	Riddle,
Bowmar,	Hoy,	Salter,
Boyd,	Ireland,	Soery,
Brown,	Johnston,	Spalding,
Cobb,	Jones, J. R.	Stevens,
Coleman,	Jordan,	Vertress,
Crockett,	Martin,	Wade,
Desha,	Mays,	Wheeler,
Devereux,	McCallister,	Wortham—45.

Mr. Williams moved a re-consideration of the vote passing said bill.

Mr. Meriwether moved the previous question.

The question was then taken, shall the main question be now put ? and it was decided in the affirmative.

The main question was then put, shall the vote passing said bill be re-considered ? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Purdom and Haggard, were as follows, viz :

Those who voted in the affirmative, were—

Messrs. Abell,	Evans,	Morton,
Alexander,	Haggard,	Oglesby,
Armstrong,	Hager,	Owens,
Beeler,	Harrison,	Purdom,
Bell,	Hay,	Reed,
Board,	Hoy,	Rhea,
Bowman,	Ireland,	Riddle,
Bowmar,	Johnston,	Salter,
Boyd,	Jones, J. R.	Soery,
Bradford,	Jordan,	Spalding,
Brown,	Mansfield,	Stevens,
Cobb,	Martin,	Towles,
Coleman,	Mays,	Vertress,
Desha,	McArthur,	Wade,
Devereux,	McCallister,	Wheeler,
Durbin,	McHenry,	Williams,
Elliott, M.	Meriwether,	Wortham—52.
English,		

Those who voted in the negative, were—

Mr. Speaker,	Hanson,	Rouse,
Messrs. Botts, A. G.	Hobbs,	Smith,
Botts, W. S.	Hord,	Spurr,

Bush,
Clarke,
Crawford,
Crockett,
Covington,
Dickerson,
Elliott, J.
Fletcher,
Foley,
Gilbert,
Glenn,
Graves,
Hall,

Irvine, D.
Irvin, J.
Jones, W. L.
Marshall,
Mayhall,
Mitchell,
Moore,
Munford,
Page,
Pearl,
Phillips,
Poor,
Proctor

Steele,
Stevenson,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Walker,
Waller,
White,
Wright,
Young—47.

The question was again taken on the passage of the bill, and it was decided in the negative, and so the bill was rejected.

The yeas and nays being required thereon by Messrs. Haggard and Brown, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alnut,
Botts, A. G.
Botts, W. S.
Bush,
Clarke,
Crawford,
Covington,
Dickerson,
Elliott, J.
Elliott, M.
Fletcher,
Foley,
Gilbert,
Glenn,
Graves,

Hall,
Hanson,
Hobbs,
Hord,
Irvine, D.
Irvin, J.
Jones, W. L.
Marshall,
Mayhall,
McArthur,
Mitchell,
Moore,
Munford,
Page,
Pearl,
Phillips,

Poor,
Proctor,
Rouse,
Smith,
Spurr,
Steele,
Stevenson,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Walker,
White,
Wright,
Young—48.

Those who voted in the negative, were—

Messrs. Abell,
Alexander,
Armstrong,
Beeler,
Bell,
Board,
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Cobb,
Coleman,

Evans,
Haggard,
Hager,
Harrison,
Hay,
Hoy,
Ireland,
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Martin,
Mays,

Ogelsby,
Owens,
Purdum,
Reed,
Rhea,
Riddle,
Salter,
Soery,
Spalding,
Stevens,
Towles,
Vertress,
Wade,

Crockett,
Desha,
Devereux,
Durbin,
English,

McCallister,
McHenry,
Meriwether,
Morton,

Waller,
Wheeler,
Williams,
Worham—52.

And then the House adjourned.

FRIDAY, JANUARY 15, 1847.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act for the benefit of Benjamin Payne, of Daviess county.

An act for the benefit of Samuel T. Crews.

An act for the benefit of Robert A. Wright.

That they had passed bills of the following titles, viz:

An act for the benefit of Jacob Mayo, late clerk of the Floyd county and circuit courts.

An act for the benefit of John Jones and others.

An act for the benefit of Joseph Crow, of Allen county.

An act for the benefit of Nathaniel S. Robertson.

An act for the benefit of John Moss, of Hickman county.

An act for the benefit of Moses Scott Rice, surveyor of Boone county.

An act for the benefit of Edward Graves, coroner of Boone county.

An act to organize the Flemingsburg Fire Engine and Hose Company.

An act for the benefit of Levi Pendley, of Hopkins county.

The Speaker laid before the House a communication from Daniel Bradford, Esq., proposing to sell to the State certain volumes of the Kentucky Gazette.

Which was received, read, and referred to the committee on the Library.

1. Mr. Desha presented the petition of sundry citizens of Harrison county, praying the removal of an election precinct from Leesburg to Leeslick, in said county.

2. Mr. Haggard presented the petition of sundry citizens of Green county, praying a division of said county, by the formation of a new county out of the north and north-east part thereof.

3. Mr. A. G. Botts presented the petition of George H. Hutchens, praying a release from the penalties of the act of 1833, against the importation of slaves into this State, incurred in failing to take the oath required by said act.

4. Mr. Clarke presented the petition of sundry citizens of the town of Hopkinstown, praying a repeal of the act extending the limits of said town.*

5. Mr. Meriwether presented the petition of William Smith and Taylor Pember, praying that the name of the latter may be changed to that of Taylor Pember Smith, and that he be made the legal heir of said William.

6. Mr. Pearl presented the petition of sundry citizens of Laurel county, praying that the bridge built by John Williams, on the Raccoon road, be placed under the control of the surveyor of said road.

7. Also, the petition of J. A. Moore, praying an amendment in the law granting a change of venue to Milton Martin.

Which were received, the reading thereof dispensed with, and referred: the 1st to the committee on Privileges and Elections; the 2d and 6th to the committee on Propositions and Grievances; and the 3d, 4th, 5th and 7th to the committee on the Judiciary.

On motion of Mr. Glenn—

Ordered, That Mr. Poor be added to the committee on Propositions and Grievances.

The House then took up the resolutions read and laid on the table on Wednesday last, by Mr. Reed.

The said resolutions were then twice read and adopted.

Mr. Meriwether, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Fleming county, in relation to a turnpike gate, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Internal Improvement.

Mr. Meriwether, from the same committee, to whom was referred the petition of David Burnett, asked to be discharged from the further consideration thereof, and that the same be withdrawn; which was granted and the petition withdrawn.

Mr. Meriwether, from the same committee, to whom was referred the petition of sundry citizens of Clarke, Montgomery and Estill counties, praying for a new county, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. McHenry, from the committee on the Judiciary, to whom was referred the petition of William S. Patterson, asked to be discharged from the further consideration thereof; which was granted.

Ordered, That said petition be referred to the committee on Ways and Means.

Mr. Brown, from the committee on Claims, reported a bill for the benefit of Coonrod Hays, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McHenry, from the committee on the Judiciary, reported a bill to add a fourth Judge to the Court of Appeals; which was read the first time as follows, viz:

The growing number and importance of the causes brought to the Court of Appeals for revision, demands the addition of another Judge. Therefore,

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor, by and with the advice and consent of the Senate, appoint a fourth judge of the Court of Appeals, who shall have all the powers, and receive the same compensation now allowed by law, to the other judges of said court.

Sec. 2. Where two of the judges may be interested, or from any other cause shall refuse to sit, in any case, the other two judges shall form a court for the trial of such case.

The question was then taken on reading said bill a second time, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Towles and Desha, were as follows, to-wit:

Those who voted in the affirmative were—

Mr. Speaker.	Dickerson,	Page,
Messrs. Alexander,	Gilbert,	Poor,
Armstrong,	Hay,	Proctor,
Botts, A. G.	Irvin, J.	Reed,
Botts, W. S.	Jones, W. L.	Rhea,
Covington,	Mayhall,	Thomas,
Devereux,	McHenry,	Waller—21.

Those who voted in the negative were—

Messrs. Abell,	Hager,	Phillips,
Alnut,	Hall,	Purdum,
Beeler,	Hanson,	Riddle,
Bell,	Harrison,	Rouse,
Board,	Hobbs,	Salter,
Bowman,	Hord,	Smith,
Bowmar,	Hoy,	Soery,
Boyd,	Ireland,	Spalding,
Bradford,	Irvine, D.	Spurr,
Brown,	Johnston,	Steele,
Clarke,	Jones, J. R.	Stevens,
Cobb,	Jordan,	Stevenson,
Coleman,	Mansfield,	Stewart,
Crawford,	Marshall,	Talbutt,
Crockett,	Martin,	Tandy,

Desha,
Durbin,
Elliott, J.
Elliott, M.
English,
Evans,
Fletcher,
Foley,
Glenn,
Graves,
Haggard,

Mays,
McArthur,
McCallister,
Meriwether,
Mitchell,
Moore,
Morton,
Munford,
Oglesby,
Owens,
Pearl,

Towles,
Vertress,
Wade,
Walker,
Wheeler,
White,
Williams,
Wortham,
Wright,
Young—77.

Mr. McHenry, from the same committee, to whom was referred a bill to change the time of holding the terms of the Court of Appeals, reported the same with amendments, which were concurred in.

On motion of Mr. Meriwether, the said bill was further amended.

Mr. McHenry moved an amendment to said bill, and after some discussion had thereon, the hour of twelve o'clock arrived, when the House proceeded to the orders of the day.

The House, according to order, resolved itself into a committee of the whole, on the bill to modify and repeal in part the act approved February 2d, 1833, entitled, an act to amend the law prohibiting the importation of slaves into this State; Mr. Waller in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Waller reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House without amendment, which he handed in at the clerk's table.

The said bill reads as follows:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act to amend the law prohibiting the importation of slaves into this State, approved February 2nd, 1833, be and the same is hereby so far modified and repealed as to permit and allow citizens of this Commonwealth, to purchase, and who may otherwise obtain a slave or slaves, to bring the same into this State for their own use; and shall not be subject to the penalties of the above recited act, provided he, she or they shall take the oath, and comply with the other requirements on that subject, prescribed in the act of the Legislature, in relation to the bringing slaves into this State, approved February 8th, 1815, in force from the 1st day of May thereafter.

Mr. Armstrong moved to amend said bill by adding thereto the following, viz:

Be it further enacted, That should any slave hereafter imported into the State of Kentucky, commit any trespass on the person or property of any person in this Commonwealth, that the owner of such slave, at the time of the committing of such trespass, shall be liable to the person injured, for the full amount of damages he may sustain by such trespass; and such damages may be recovered by action of trespass *vi et armis*, in any court within this Commonwealth having jurisdiction of the amount of damages claimed.

And the question being taken on adopting said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Armstrong and Hay, were as follows, viz:

Those who voted in the affirmative were—

Messrs. Armstrong,	Hall,	Proctor,
Botts, A. G.	Hay,	Reed—8.
Boyd,	Pearl,	

Those who voted in the negative were—

Mr. Speaker,	Graves,	Phillips,
Messrs. Abell,	Haggard,	Poor,
Alexander,	Hager,	Purdum,
Alnut,	Hanson,	Rhea,
Beeler,	Hobbs,	Riddle,
Bell,	Hord,	Rouse,
Board,	Hoy,	Salter,
Botts, W. S.	Ireland,	Smith,
Bowman,	Irvine, D.	Soery,
Bowmar,	Irvin, J.	Spalding,
Brown,	Johnston,	Spurr,
Clarke,	Jones, J. R.	Steele,
Cobb,	Jones, W. L.	Stevens,
Coleman,	Jordan,	Stevenson,
Crawford,	Mansfield,	Stewart,
Crockett,	Marshall,	Talbutt,
Covington,	Martin,	Tandy,
Desha,	Mayhall,	Thomas,
Devereux,	Mays,	Towles,
Dickerson,	McArthur,	Vertress,
Durbin,	McCallister,	Wade,
Elliott, J.	Meriwether,	Walker,
Elliott, M.	Mitchell,	Waller,
English,	Moore,	Wheeler,
Evans,	Morton,	White,
Fletcher,	Munford,	Williams,
Foley,	Oglesby,	Wortham,
Gilbert,	Owens,	Wright,
Glenn,	Page,	Young.—87.

Mr. Graves then moved to amend said bill by adding the following, viz:

Provided, That if any person or persons shall sell or hire, or otherwise dispose of any slave or slaves in this State so imported, within five years after such act of importation, he or they shall be liable to all of the penalties of the act approved 2d of February, 1833, entitled, "an act prohibiting the importation of slaves into this State:" *Provided, such slave or slaves shall be subject to sale by execution, as now provided by law.*

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Hobbs, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker,	Hay,	Reed,
Messrs. Botts, A. G.	Hobbs,	Rhea,
Botts, W. S.	Irvine, D.	Riddle,
Bowman,	Jones, J. R.	Spurr,
Boyd,	Marshall,	Steele,
Clarke,	McArthur,	Stewart,
Cobb,	Meriwether,	Tandy,
Desha,	Mitchell,	Thomas,
Durbin,	Munford,	Walker,
Gilbert,	Page,	Waller,
Graves,	Pearl,	Wortham,
Hall,	Phillips,	Young—36.

Those who voted in the negative were—

Messrs. Abell,	Foley,	Oglesby,
Alexander,	Glenn,	Owens,
Alnut,	Haggard,	Poor,
Armstrong,	Hager,	Purdum,
Beeler,	Hanson,	Rouse,
Bell,	Hord,	Salter,
Board,	Hoy,	Smith,
Bowmar,	Ireland,	Soery,
Brown,	Irvin, J.	Spalding,
Coleman,	Johnston,	Stevens,
Crawford,	Jones, W. L.	Stevenson,
Crockett,	Jordan,	Talbutt,
Covington,	Manafield,	Towles,
Devereux,	Martin,	Vertress,
Dickerson,	Mayhall,	Wade,
Elliott, J.	Mays,	Wheeler,
Elliott, M.	McCallister,	White,
English,	Moore,	Williams,
Evans,	Morton,	Wright—58.
Fletcher,		

Mr. Wright moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill be engrossed and read a third time? and it was decided in the affirmative.

Mr. Glenn moved that said bill have its third reading now.

And the question being taken thereon, it was decided in the affirmative.

The said bill was then read a third time.

Mr. White moved to amend said bill by adding thereto the following engrossed clause by way of ryder, viz:

Sec. 2. *Be it further enacted,* That all persons who may have imported slaves into this Commonwealth for their own use, and not for merchandize, and who shall take the oath prescribed by this act, on or before the first day of July next, shall be released from all the penalties prohibiting the importation of slaves into this Commonwealth, to which such person or persons are now subject.

Which was adopted.

The question was then taken on the passage of said bill, and decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Hobbs and Williams, were as follows, viz:

Those who voted in the affirmative were—

Messrs. Abell,	Haggard.	Purdom,
Alnut,	Hager,	Rhea,
Bell,	Harrison,	Rouse,
Board,	Hoy,	Smith,
Bowmar,	Ireland,	Soery,
Coleman,	Johnston,	Spalding,
Crawford,	Jones, J. R.	Stevens,
Crockett,	Jones, W. L.	Stevenson,
Covington,	Mansfield,	Towles,
Devereux,	Martin,	Vertress,
Dickerson,	Mayhall,	Wade,
Elliott, J.	Moore,	Wheeler,
Elliott, M.	Morton,	White,
English,	Oglesby,	Williams,
Evans,	Owens,	Wright,
Fletcher,	Poor,	Young—49.
Glenn,		

Those who voted in the negative were—

Mr. Speaker,	Graves,	Page,
Messrs. Alexander,	Hall,	Pearl,
Armstrong,	Hanson,	Phillips,
Beeler,	Hay,	Proctor,
Botts, A. G.	Hobbs,	Reed,
Botts, W. S.	Hord,	Riddle,
Bowman,	Irvine, D.	Salter,
Boyd,	Irvin, J.	Spurr,
Bradford,	Jordan,	Steele,
Brown,	Marshall,	Stewart,
Bush,	Mays,	Talbutt,
Clarke,	McArthur,	Tandy,
Cobb,	McCallister,	Thomas,
Deshaz,	McHenry,	Thompson,
Durbin,	Meriwether,	Walker,
Foley,	Mitchell,	Waller,
Gilbert,	Munford,	Wortham—51.

The Speaker laid before the House the annual report of the Librarian, which is as follows, viz:

FRANKFORT, January 15, 1847.

To the Hon. LESLIE COMBS,

Speaker of the House of Representatives.

SIR:

You will please lay before the honorable House over which you preside, the accompanying report, which contains all the books received in the Public Library for the year 1846.

Yours respectfully,

G. A. ROBERTSON, P. L.

[*For Report—see Legislative Documents.*]

And then the House adjourned.

SATURDAY, JANUARY 16, 1847.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act for the benefit of William Smith, clerk of the Grant circuit and county courts, and William H. Evans, late sheriff of Grant county.

An act for the benefit of George F. Catlett, late sheriff of Union county.

An act to amend the road law in Pendleton county.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act for the benefit of William Wadlington, of Caldwell county.

An act for the benefit of the trustees and citizens of the town of Princeton, in Caldwell county.

An act for the benefit of John Hoy, of Simpson county.

An act for the benefit of John McAfee, of Mercer county.

An act for the benefit of State Historical Societies in the United States.

An act authorizing a chancery term of the Nicholas circuit court.

1. Mr. McHenry presented the memorial of J. A. Jacobs, principal of the Deaf and Dumb Asylum, in relation to the increase of indigent pupils in said Institution.

2. Mr. Reed presented the remonstrance of sundry citizens and owners of real estate in the town of South Frankfort, against the passage of a law authorizing the imposition of a tax on the persons and property in said town.

3. Mr. Johnston presented the petition of sundry citizens, praying the passage of a law establishing a State warehouse and inspection of tobacco.

4. Mr. Munford presented the petition of Abner H. Snow, executor of David Mize, deceased, praying the passage of a law confirming a sale of certain real estate of said deceased.

5. Mr. Ireland presented the petition of Joseph C. Linn, praying permission to import certain slaves into this State.

6. Mr. Wright presented the petition of sundry citizens of Hickman county, against the establishment of a State road from Columbus to the State line in the direction of Dresden, in Tennessee.

7. Mr. A. G. Botts presented the petition of sundry citizens of Nelson county, praying the passage of an act to permit the contractors on the Bardstown and Green River Turnpike Road, to pass free of toll over said road.

8. Mr. Steele presented the petition of E. H. Field and L. M. Hunt, praying to be released from the payment of a liability incurred by them for public arms received and not returned.

9. Mr. Hobbs presented the remonstrance of sundry citizens of Jefferson county, against the formation of a new county out of parts of said county, and the counties of Hardin, Bullitt and Meade.

10. Mr. Rouso presented the petition of sundry citizens of Boone and Kenton counties, praying the incorporation of a company to construct a turnpike roads from the Taylorsville and Burlington road, in Boone, to Covington, in Kenton county.

11. Mr. Foley presented the petition of Williby Inman, administrator of Thomas Inman, deceased, praying a sale of the real estate of decedent to pay his debts.

12. Mr. Page presented the memorial of the Kentucky Historical Society, praying for a geological survey of the State.

13. Mr. Haggard presented the petition of Joseph S. Bledsoe, praying for the change of an alley in the town of Burksville.

14. Mr. Walker presented the petition of David Stout, praying an alteration of the county line between Franklin and Anderson, so as to include him in the latter county.

15. Also, the petition of the Justices of the Peace of Anderson county, praying for the reduction of the number of Justices in said county.

16. Mr. Riddle presented the petition of sundry citizens of Booneville, in Owsley county, praying that said town may be incorporated.

17. Mr. Steele presented the petition of Lucinda Harris, praying to be divorced from her husband, Lewis J. Harris.

18. Mr. Evans presented the petition of L. D. Ross, praying an amendment to the law in relation to ferries.

19. Also, the petition of James Howe, praying the passage of a law authorizing him to convey lands.

20. Mr. Stevenson presented the memorial of Robert Williams, Palmer & Gaiou, J. T. & J. C. Ham, and J. S. Law & Co., praying for compensation for losses sustained by them on their contracts with the State for the construction of Locks and Dams on Licking river, in consequence of a suspension, by the State, of said works.

Which petitions and memorials were received, the reading dispensed with, and referred; the 1st to the committee on Education; the 2d, 9th, 14th and 16th to the committee on Propositions and Grievances; the 3d to Messrs. Crockett, Young, Waller, Mansfield, Spalding, Haggard, Johnston, Soery and Board; the 4th, 5th, 11th and 13th to the committee on the Judiciary; the 6th, 7th, 10th and 20th to the committee on Internal Improvement; the 8th to the committee on Military Affairs; the 12th to the committee on Agriculture and Manufactures; the 15th to Messrs. Walker, A. G. Botts and Steele; the 17th to the committee on Religion, and the 18th and 19th to Messrs. Evans, J. R. Jones and Bradford.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the town of Lower Cloverport, in Breckinridge county.

An act for the benefit of Artimesia Jones and James Jones.

An act for the benefit of William Long and Ann Elizabeth Long.

An act for the benefit of John S. Page and others.

An act for the benefit of Syllodon Sidney Smith.

An act to abolish the benefit of clergy.

An act for the benefit of John D. Locke, a lunatic.

An act for the benefit of Charles H. Smith.

An act allowing additional Justices of the Peace to Graves and Muhlenburg counties.

An act declaring the Louisa fork of Big Sandy river a navigable stream.

An act to change the names of Jacob McClung and Pleasant McClung.

An act to incorporate the Sharpsburg Male and Female Academy.

An act to incorporate the Old School Presbyterian Church, in Newport,

An act for the benefit of Charles Hays.

An act to change the name of Joab Hoffman to that of Joseph Hoffman.

An act for the benefit of Richard Darnell.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. Alexander moved a re-consideration of the vote rejecting the bill to modify and repeal in part the act approved February 24, 1833, entitled, an act to amend the law prohibiting the importation of slaves into this State.

Mr. Meriwether moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the vote rejecting said bill be re-considered? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McArthur and Proctor, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Fletcher,	Poor,
Alexander,	Glenn,	Purdom,
Alnut,	Haggard,	Rhea,
Bell,	Hager,	Rouse,
Board,	Harrison,	Smith,
Bowmar,	Hoy,	Soery,
Boyd,	Ireland,	Spalding,
Coleman,	Johnston,	Stevens,
Crawford,	Jones, W. L.	Stevenson,
Crockett,	Mansfield,	Towles,
Covington,	Martin,	Vertress,
Devereux,	Mayhall,	Wade,
Dickerson,	Mays,	Wheeler,
Elliott, J.	Moore,	White,
Elliott, M.	Morton,	Williams,
English,	Oglesby,	Wright,
Evans,	Owens,	Young—51.

Those who voted in the negative, were—

Mr. Speaker,	Hall,	Page,
Messrs. Armstrong,	Hanson,	Pearl,
Beeler,	Hay,	Phillips,
Botts, A. G.	Hobbs,	Proctor,
Botts, W. S.	Hord,	Reed,
Bowman,	Irvine, D.	Riddle,
Bradford,	Irvine, J.	Spurr,
Brown,	Jones, J. R.	Steele,
Bush,	Jordan,	Stewart,
Clarke,	Marshall,	Talbutt,
Cobb,	McArthur,	Tandy,
Desha,	McCallister,	Thomas,
Durbin,	McHenry,	Thompson,
Foley,	Meriwether,	Walker,
Gilbert,	Mitchell,	Waller,
Graves,	Munford,	Wortham—48.

Ordered, That said bill be referred to Messrs. Williams, Alexander, Mays, Munford, Rhea, Crockett, Covington, White and Wright.

The amendments proposed by the Senate to bills from this House of the following titles, viz:

An act to amend the road laws in Pendleton county.

An act for the benefit of James Cunningham, of Trigg county.

An act to declare Whippoorwill a navigable stream,

Were taken up, twice read, and concurred in.

Bills from the Senate, of the following titles, viz:

1. An act for the benefit of Rebecca Morrison and the heirs of Joseph A. Morrison, deceased.

2. An act authorizing the sale of the parsonage house in the town of Elkton.

3. An act to incorporate the Kentucky Military Institute.

4. An act to amend an act concerning the town of Albany, in Clinton county, approved February 14th, 1846.

5. An act authorizing the sale of the jail in the town of Hopkinsville.

6. An act authorizing the Board of Internal Improvement to compromise and settle with Simpson Stout.

7. An act to amend an act, entitled, an act to incorporate the Lawrence County Coal Mining Company.

8. An act for the benefit of the infant heirs of William McKittrick, deceased.

9. An act for the benefit of the heirs of Mabry T. Cox.

10. An act divorcing Catharine W. Hutchison from her husband, Parker N. Hutchison.

11. An act to divorce Letitia Ann Casey, and to restore her to her maiden name.

12. An act to extend the terms of the Fayette circuit court, and for other purposes.

13. An act for the benefit of Isaac Ayres.

14. An act to amend the charter of the Paducah Marine Railways, and for other purposes.

15. An act for the benefit of the mechanics of the town of Louisa.

16. An act authorizing a settlement with the Board of Internal Improvement.

17. An act for the benefit of Jacob Mays, late clerk of the Floyd county and circuit courts.

18. An act for the benefit of John Jones and others.

19. An act for the benefit of Joseph Crow, of Allen county.

20. An act for the benefit of Nathaniel S. Robertson.

21. An act for the benefit of John Moss, of Hickman county.

22. An act for the benefit of Moses Scott Rice, surveyor of Boone county.

23. An act for the benefit of Levi Pendley, of Hopkins county.

24. An act for the benefit of William Wadlington, of Caldwell county.

25. An act for the benefit of the Trustees and citizens of the town of Princeton, in Caldwell county.

26. An act for the benefit of John Hoy, of Simpson county.

27. An act for the benefit of John McAfee, of Mercer county.

28. An act for the benefit of State Historical Societies in the United States.

29. An act authorizing a chancery term of the Nicholas circuit court,

Were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st, 8th, 9th, 12th, 13th, 19th, 20th, 21st, 24th, 26th and 27th were referred to the committee on the Judiciary; the 2d, 3d, 4th, 5th, 7th, 14th, 15th, 17th, 18th, 22d and 29th were severally ordered to be read a third time; the 6th was referred to the committee on Ways and Means; the 10th and 11th to the committee on Religion; the 16th to the committee on Internal Improvement; the 23d to the committee on Claims; the 25th to the committee on Propositions and Grievances, and the 28th to the committee on Education.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 4th, 5th, 7th, 14th, 15th, 17th, 18th, 22d and 29th bills having been dispensed with.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate entitled, an act to add a part of the county of Hopkins to the county of Caldwell, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

The said bill was then amended.

Ordered, That the said bill be referred to the committee on Propositions and Grievances.

Bills from the Senate, of the following titles, viz:

An act to authorize Henry S. Mitchell to lay off a town in Allen county.

An act for the benefit of Edward Graves, coroner of Boone county,

Were read the first time and ordered to be read a second.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The said bills were amended.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be amended by adding to each, "and for other purposes."

A bill from the Senate, entitled, an act to organize the Flemingsburg Fire Engine and Hose Company, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Ordered, That said bill, as amended, be referred to the committee on Military Affairs.

The Speaker laid before the House a supplemental report from the President of the Board of Internal Improvement, which is as follows, viz:

OFFICE OF THE BOARD OF INTERNAL IMPROVEMENT,
January 16, 1847. }

TO THE HON. L. COMBS,

Speaker of the House of Representatives.

SIR:

From an attentive examination of the annual report of this Board to the honorable Senate and House of Representatives, I have been led to believe that a few remarks explanatory, and in extension of certain portions of that report, is due to the Legislature, and demanded as a matter of duty on the part of the Board. I, therefore, respectfully ask leave to submit the following:

By the act of 1830, the rate of transportation on the Railroad, for the whole distance between Lexington and Frankfort, is fixed at 9 cents and 8 mills per hundred. The lessees, it is said, charge 12½ cents; and this is *one ground* of complaint on the part of the steamers not interested in the Railroad. They hold the charge of 12½ cents to be in violation of the law. The lessees in reply, refer to the act of 1836, authorizing an additional charge for *storage*, which they maintain is intended to be *included* in the 12½ cents.

To this statement the rival steamers respond, that this charge is made by the lessees when the freight is carried directly from the wharf to the cars, and from the latter to the former, without having been stored at all.

The rival steamers also complain of the charge for *wharfage* at the *private wharf* owned by one of the lessees—at one time \$3 *per trip*, and again at the pleasure of the owner of the wharf, \$6 *per trip*. That is \$3 for touching as the steamer ascends the river, and \$3 more on the descent. Such has been the controversy between the steamers owned in part by the lessees of the Railroad, and their independent rivals, and in which controversy the former has been so very triumphant.

Of the legality or illegality of the proceedings on the part of the lessees, the Legislature is more competent than the Board to determine.

The Board have no preference for any one of the rival interests alluded to. But it is their duty to guard the interest of the Commonwealth against such palpable encroachment. Do they possess the power? If they do, would it be right to exercise that power without the previous or direct sanction of the Legislature? The Legislature is too just to do any wrong to the lessees or to require it to be done by the Board. On the other hand, the clear and unquestionable interest of the State in this navigation, and also in the turnpike, has to be protected. How is that object to be effected? Without the aid of the Legislature the Board have no power to guard the interest of the *Turnpike Company*, or of the State as a stockholder, against the wrong complained of by that company. They have no doubt, however, of their power to protect the interest of the State in this navigation against

improper encroachments from any quarter. Complaints are made against the extravagant rates of toll upon the river, which it is said will turn all the freight of the country upon the turnpikes. Now it is understood, that the cost of transportation between Lexington and Louisville, by way of *Railroad and river*, is 25 cents per hundred—the Railroad being 28 miles to the river, and the latter 66 miles from that point to its mouth. If the lessees collect 12½ cents per hundred, is it not more than their just proportion of the 25 cents? The river being more than twice the length of the road from the point of their junction with each other. An increase of the rates of toll upon the river, will of course put up the charge for transportation in due proportion; and if it be true that reduced charges will bring the *most freight* and *most revenue*, the Railroad charges for transportation can be reduced as low as the managers please; and still they will receive their fair proportion of the proceeds of the whole line. Upon each hundred pounds between Frankfort and Louisville, the State now receives three cents and three mills, for her great outlay when compared to the outlay of those who use the navigation. By increasing the tolls the charge for transportation may be raised in just proportion, or the boats having a monopoly of the river trade, can continue their present charges as they may think proper.

It is evident that by leasing out a *part of this line of transportation*, and by *retaining a part of it* as the property of the State, to be used for its benefit, that one of the parties have it in their power, if the proper care is not taken to prevent it, to turn the profits of the whole line exclusively to their own advantage. If the two apparently conflicting interests can be made to harmonize upon fair and equitable terms, it will probably be best for both parties. Otherwise, it will become the duty of the State authorities to exert over the navigation the power which they unquestionably possess, of protecting the interest which they represent, and of preventing this valuable improvement from being diverted from its legitimate and noble purposes.

By an act to amend the charter of this company, approved February 20th, 1836, (which act contains a reservation of the right of the Legislature thereafter to repeal all, or any part thereof,) the lessees have acquired certain rights, in addition to that of charging for *storage*: the right to charge 25 cents for single packages weighing less than one hundred pounds; and to make *contracts* for the transportation of packages weighing less than *sixty five pounds*, &c.

How far any or all of the provisions of this amendatory act may go to sustain the lessees in their general charges for transportation; how far to justify their abandonment of the public wharf, and their charges of more or less at their own pleasure, for *wharfage*; or in the destructive use they make of the turnpike, without payment of damages, is for the Legislative wisdom to decide. By leasing out the Railroad, the State authorities have lost no power, so to manage and control the navigation, as shall best promote the interest of the Commonwealth, and accommodate the passenger and other custom derived from the section of country most immediately concerned. If an arrangement cannot be made with the monopolizing steamers, the power certainly exists of making such arrangement with others, to their exclusion or otherwise, as a sense of justice to the lessees, and the policy of the State may demand.

THE TURNPIKES.

In some of our sister States it is the practice of the *Board of Public Works* to convene delegates from all the turnpikes in which the State is a stockholder, for the purpose of enabling them, by comparison and consultation, in regard to the tolls, to determine upon such defects as the experience of the past shall have pointed out, and by and with the consent of the said Board of Public Works of the State to make such change or modification of the rates as may be deemed most salutary and proper. In this way only can uniformity of rates be arrived at, of the least objectionable character. *A rightful uniformity of rates* does not consist in *charging the same* for the passage of *stage coaches, &c.*, without regard to the number of *passengers and quantity of baggage conveyed*, but in *proportion to the number and quantity*. Upon unfinished or other roads upon which but few travellers pass, the charges should certainly be less than upon roads upon which the large twelve passenger stages are often and perhaps generally loaded inside and out, with passengers and their baggage. The same may be said of the wagons and other vehicles hauling the greatest quantity of freight—the heavy laden can well afford to pay more than the lightly laden, and all experience proves that the heavy loaded wagons and stages destroy the road and at the same time accommodate the country less than others, so that upon every principle of justice and policy, the rates of toll should be laid according to weight. Such are the results of experience in Ohio, and wherever else the thing has been fairly tested.

If it is asked what power or what right has the Legislature to alter or modify the rates, as proposed, it may be answered that the State has absolute control of that matter, under many of the charters, by the amount of her stock in the road. In some instances more than *two thirds*. In other instances *two thirds*, and in none less than *one half*, and she will never fail to have some of the private stockholders concurring in her views, and representing with the State, a majority of the stock.

Should any of the companies refuse or decline to comply with the requisitions of the law, would it not, in that case, be proper to authorize and make it the duty of the Board of Internal Improvement to prosecute suits against the defaulting officers of the company.

I have the honor to be,

Most respectfully,

THOMAS METCALFE, P. B. I. I.

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

On the motion of Mr. Stevenson—

Ordered, That leave of absence, until Thursday next, be granted to Mr. Marshall.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill for the benefit of James S. Chrisman and wife.

By Mr. Page—2. A bill to amend an act, entitled, an act for the benefit of Susan Ann D. Young, approved January 21, 1846.

By Mr. Dickerson—3. A bill to regulate the terms of the Scott circuit court, and for other purposes.

By Mr. Cobb—4. A bill to amend the laws regulating the Wilderness road.

By Mr. Bush—5. A bill to amend the road laws of Clarke county.

By Mr. Rhea—6. A bill to increase the liabilities of sheriffs and their deputies.

By Mr. Stevenson—7. A bill to amend an act, entitled, an act to amend the road law of Kenton.

By Mr. Bowman—8. A bill to allow an additional constable to the county of Casey.

By Mr. Smith—9. A bill to regulate the compensation of clerks in this Commonwealth.

By Mr. Foley—10. A bill to change the place of voting in certain election precincts.

By Mr. Mitchell—11. A bill providing for the support of an additional number of pupils in the Deaf and Dumb Asylum at Danville.

By Mr. Young—12. A bill to authorize the surveyor's books of Barren county to be transcribed.

By Mr. Ogelsby—13. A bill to compel the trustees of Tompkinsville to keep the streets in order.

By Mr. Steele—14. A bill to extend the powers of the trustees of the town of Midway, in Woodford county.

By Mr. Harrison—15. A bill changing the name of Harry Wicks to that of Harry Ferguson.

By Mr. Haggard—16. A bill to amend an act incorporating the town of Burksville.

By Mr. Evans—17. A bill for the benefit of Charles Caines.

By Mr. Morton—18. A bill to change the place of voting at an election precinct in Hopkins county.

By Mr. Board—19. A bill to increase the jurisdiction of Justices of the Peace.

By Mr. Coleman—20. A bill for the benefit of Crittenden county court.

By Mr. Dickerson—21. A bill for the benefit of Parmelia Redman.

By Mr. Crockett—22. A bill for the benefit of John Mitchell, H. G. Mitchell and Leander Mitchell, of Warren county.

By same—23. A bill for the benefit of Henry G. Mitchell, of Warren county.

By same—24. A bill to alter the manner of mustering in Lewis county.

By same—25. A bill to authorize the county court of McCracken county to sell or remove the present court house and build a new one, and for other purposes.

By Mr. D. Irvine—26. A bill for the benefit of Jailers of Madison, Anderson, Boyle and Calloway counties.

By Mr. Pearl—27. A bill to amend in part, and repeal in part, the act establishing a road from the mouth of Laurel river.

By Mr. Haggard—28. A bill further to protect the interest of wool growers.

By Mr. D. Irvine—29. A bill to incorporate an additional Fire Company in the town of Frankfort.

By Mr. Covington—30. A bill to amend an act, entitled, an act for the benefit of the trustees of the town of Bowlinggreen.

By Mr. Pearl—31. A bill to reduce the salaries of circuit Judges and other officers of this Commonwealth.

By Mr. Glenn—32. A bill to amend the execution law.

By Mr. Covington—33. A bill for the benefit of William Smith.

By same—34. A bill to incorporate the trustees of the Pleasant Hope meeting house, in Daviess county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st, 2d, 5th, 8th, 10th, 12th, 13th, 15th, 18th, 20th, 21st, 25th, 26th and 27th were severally ordered to be engrossed and read a third time; the 3d, 6th, 14th, 16th, 19th, 29th, 30th, 32d, 33d and 34th were referred to the committee for Courts of Justice; the 4th and 7th to the committee on Internal Improvement; the 9th to the committee on the Sinking Fund; the 11th to the committee on Education; the 17th to the committee on Ways and Means; the 22d and 23d to the committee on Claims; the 24th to the committee on Military Affairs; the 28th to the committee on Agriculture and Manufactures; and the 31st to the committee of the whole for Thursday next.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 5th, 8th, 10th, 12th, 13th, 15th, 18th, 20th, 21st, 25th, 26th and 27th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Poor moved the following resolution, viz:

Resolved, That it be a standing rule in this House, for the balance of the session, to appropriate Tuesday of each week exclusively for reports from select committees and for hearing motions, until the hour arrives for calling the orders of the day.

And the question being taken on adopting the same, it was decided in the negative.

And then the House adjourned.

MONDAY, JANUARY 18, 1847.

A message was received from the Senate announcing the passage of bills from this House, of the following titles, viz:

An act for the benefit of Samuel C. Trotter, and others.

An act to amend the act incorporating the town of Flemingsburg.

An act authorizing the taking of depositions of certain officers of the Lunatic Asylum.

With amendments to the two last named bills.

That they had concurred in the resolutions from this House, in relation to the Board of Internal Improvement, and the extension of slack water on the Kentucky river.

That they had passed bills of the following titles, viz:

An act to simplify the authentication of foreign deeds and other instruments.

An act to amend an act, entitled, an act to incorporate the Grand Lodge of the Independent Order of Odd Fellows of the State of Kentucky, approved February 16, 1838.

An act to incorporate the Grand Division of Sons of Temperance of Kentucky.

An act for the benefit of Philip Lightfoot and Isaiah Heston, late sheriffs of Breckinridge county.

An act better to define the duties of surveyors in this Commonwealth.

An act to repeal the law authorizing deeds to be recorded in the clerk's office of the Court of Appeals and General Court.

An act for the benefit of James Davidson, Treasurer

An act to amend an act, entitled, an act for the benefit of David A. Sayre.

An act to enlarge a constable's district in Clarke county.

1. Mr. Waller presented the petition of sundry citizens of Dover, praying the passage of an act granting the trustees of said town the right to license taverns and coffee houses.

2. Also, the petition of James McMiller, praying the passage of an act giving him further day to report his delinquent list of muster fines.

3. Mr. Meriwether presented the petition of Pascal D. Craddock, praying a change of venue in the prosecutions pending against him in the Jefferson circuit court.

4. Mr. Bush presented the petition of Alfred Bowren and wife, praying the passage of a law authorizing a sale of certain lands devised to them.

5. Mr. Meriwether presented the petition of William Rogers, praying that an investigation be made into the treatment of the inmates of the Lunatic Asylum.

6. Mr. Clarke presented a communication from F. C. Sharp, with other papers, in relation to the repeal of the act extending the limits of the town of Hopkinsville.

7. Also, the remonstrance of sundry citizens of the town of Hopkinsville, against the repeal of the act extending the limits of said town.

8. Mr. Stevenson presented the petition of A. M. Fontaine, C. N. Fontaine, H. B. Fontaine and Sydney T. Fontaine, praying the passage of a law authorizing the sale of certain real estate held in trust for their use.

9. Mr. Mayhall presented the petition of sundry citizens of Hickman and Fulton counties, praying the establishment of a State road from Columbus to the State line, in the direction of Dresden, Tennessee.

10. Mr. Stevenson presented the petition of John Cave, and others, praying the passage of an act incorporating a company to construct a turnpike road from Burlington to Florence, in Boone county.

11. Mr. Mayhall presented a communication of G. H. Monsarrat & Co., in relation to the Public Printing.

Which were severally received, the reading thereof dispensed with, (except the 5th and 11th, which were read,) and referred; the 1st, 3d, 4th, 6th, 7th and 8th to the committee on the Judiciary; the 2d to the committee on Military Affairs; the 5th to the select committee to examine the Asylum; the 9th and 10th to the committee on Internal Improvement; and the 11th to the committee on Printing.

Mr. Smith moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the propriety of reporting a bill granting the circuit courts power to grant changes of venue in criminal prosecutions.

Which was adopted.

Mr. Waller moved a reconsideration of the vote rejecting the bill to remove the Seat of Justice of the county of Mason, from the town of Washington to the city of Maysville.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the committee on Propositions and Grievances.

Mr. McHenry, from the committee on the Judiciary, to whom was referred a bill to amend an act, entitled, an act to reduce into one the several acts concerning wills, the distribution of intestates' estate, and the duty of executors and administrators, approved February 24, 1797, reported the same with an amendment, as a substitute for said bill; which was concurred in.

Ordered, That said bill be engrossed and read a third time, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. McHenry, from the same committee, reported a bill to authorize the proper courts to change the names of persons and legitimate children born out of wedlock; which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on the Judiciary.

Mr. Botts, from the committee on Religion, reported a bill for the benefit of Sophia Catharine Backman, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Sophia Catharine Backman, be and she is hereby divorced from her present husband, Anthony Backman, and restored to all the rights and privileges of a single person.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then take on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Board, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hager,	Owens,
Messrs. Abnut,	Hall,	Proctor,
Beeler,	Hanson,	Reed,
Botts, A. G.	Hobbs,	Rouse,
Botts, W. S.	Hord,	Smith,
Boyd,	Hoy,	Soery,
Bradford,	Irvine, J.	Spalding,
Brown,	Johnston,	Spurr,
Bush,	Jones, J. R.	Steele,
Clarke,	Jones, W. L.	Stewart,
Crawford,	Jordan,	Talbutt,
Covington,	Mansfield,	Tandy,
Desha,	Mayhall,	Thomas,
Devereux,	Mays,	Towles,
Dickerson,	McArthur,	Wade,
Durbin,	McCallister,	Walker,
Elliott, J.	Meriwether,	Waller,
English,	Moore,	Wheeler,
Gilbert,	Morton,	Wortham—59.
Haggard,	Oglesby,	

Those who voted in the negative, were—

Messrs. Abell,	Glenn,	Phillips,
Armstrong,	Graves,	Poor,
Bell,	Harrison,	Purdum,
Board,	Hay,	Rhea,
Bowman,	Ireland,	Riddle,
Bowmar,	Irvine, D.	Stevens,
Cobb,	Martin,	Stevenson,
Coleman,	McHenry,	Vertress,
Crockett,	Mitchell,	White,
Elliott, M.	Munford,	Williams,
Evans,	Page,	Wright,
Fletcher,	Pearl,	Young.—37.
Foley,		

Resolved, That the title thereof be as aforesaid.

Mr. A. G. Botts, from the same committee, to whom was referred the petition of William H. Young, praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. A. G. Botts, from the committee on Religion, reported a bill for the benefit of James Jackman, which was read the first time, as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the marriage relation existing between James Jackman, and Ann Jackman, late Ann Timberlake, be and the same is hereby dissolved, and the said James Jackman is hereby restored to all the rights of an unmarried man: *Provided, however*, That before this act takes effect, the said James Jackman shall appear in the circuit court for Russell county, at its next, or any subsequent term, and execute bond with one or more sufficient securities to be approved by said court, in the penalty of two thousand dollars, payable to the Commonwealth, conditioned for the comfortable support and maintenance of said Ann Jackman during her natural life, in such manner as said court may, from time to time, order or direct, taking into consideration the peculiar condition of said Ann, and the value of said James Jackman's estate; and upon the execution of said bond, this act is to be in full force and effect.

Sec. 2. That said circuit court shall have full power and authority to require said Jackman to renew his said bond, from time to time, and give additional surety or sureties; and upon failure of said James Jackman to comply with the conditions of said bond, and the orders of court which may be made from time to time, said court shall have all the powers which a court of chancery possesses to enforce obedience thereto.

Sec. 3. Be it further enacted, That in the event said Ann Jackman survives said James Jackman, she shall be entitled to dower in his estate as though this act had not passed.

Mr. McHenry moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McHenry and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Foley,	McHenry,
Messrs. Armstrong,	Gilbert,	Mitchell,
Beeler,	Graves,	Moore,
Bell,	Hall,	Munford,
Bowman,	Hay,	Phillips,
Bowmar,	Hobbs,	Riddle,
Bradford,	Irvine, D.	Spalding,
Brown,	Irvine, J.	Stevens,
Clarke,	Jones, W. L.	Thomas,
Crawford,	Jordan,	Wheeler,
Durbin,	Martin,	Wright—33.

Those who voted in the negative, were—

Messrs. Abell,	Hager,	Proctor
Alnut,	Hanson,	Purdom,
Board,	Harrison,	Reed,
Botts, A. G.	Hord,	Rouse,
Botts, W. S.	Hoy,	Smith,
Boyd,	Ireland,	Soery,
Bush,	Johnston,	Spurr,
Cobb,	Jones, J. R.	Steele,
Coleman,	Mansfield,	Stevenson,
Crockett,	Mayhall,	Talbutt,
Covington,	Mays,	Tandy,
Desha,	McArthur,	Towles,
Devereux,	McCallister,	Vertress,
Dickerson,	Meriwether,	Wade,
Elliott, J.	Morton,	Walker,
Elliott, M.	Oglesby,	Waller,
English,	Owens,	White,
Evans,	Page,	Williams,
Fletcher,	Pearl,	Wortham,
Glenn,	Poor,	Young—61.
Haggard,		

The question was then taken on ordering said bill to be read a second time.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

On motion of Mr. Stevenson, the orders of the day were then dispensed with.

Mr. Hanson moved the following resolution, viz:

Resolved, That the committee on the Judiciary be directed to enquire into the propriety and expediency of exempting all persons above the age of sixty years, from serving on juries in civil cases.

Which was adopted.

Mr. Crockett moved the following resolution, viz:

Resolved, That the committee on the Judiciary be directed to enquire into the expediency of repealing all laws giving the General Court jurisdic-

tion of suits other than those cases in which the Commonwealth is a party, and report by bill or otherwise.

Which was adopted.

Mr. Moore moved the following resolution, viz:

Resolved, That the committee on Internal Improvement enquire into the claim of William E. Dixon, for alledged injuries occasioned by slack water, on Green river, and report a bill for his benefit, provided that in their opinion he is entitled to relief.

Which was adopted.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Hobbs—1. A bill to amend the charter of the Turnpike Road Company from the city of Louisville, by the mouth of Salt river, Elizabethtown, &c., to the State line, and for other purposes.

On the motion of Mr. Mays—2. A bill to reduce the price of vacant land in the county of Adair.

On the motion of Mr. Walker—3. A bill to change the names of Mary Elizabeth McFall, and others.

On the motion of Mr. Mitchell—4. A bill to amend the rules of chancery practice.

On the motion of Mr. Wade—5. A bill to reduce the commission of constables on all sums over ten dollars.

On the motion of Mr. Talbutt—6. A bill to extend the lien law of the city of Louisville, to the county of Bourbon.

On the motion of Mr. Young—7. A bill to amend the revenue laws.

On the motion of same—8. A bill to amend the law in relation to Common Schools.

On the motion of Mr. Smith—9. A bill to repeal all laws allowing premiums on silk cocoons and manufactured silk.

On the motion of Mr. Rouse—10. A bill to amend the militia law.

On the motion of Mr. Fletcher—11. A bill to establish a chancery term in the county of Bath.

On the motion of same—12. A bill to allow an additional Justice of the Peace to the county of Bath.

On the motion of Mr. Crockett—13. A bill for the benefit of John Crice, Treasurer of the Board of Internal Improvement of McCracken county.

On the motion of same—14. A bill for the benefit of Uriah Pool, of McCracken county.

On the motion of same—15. A bill for the benefit of James C. Calhoun, guardian of James Huey.

On the motion of Mr. McArthur—16. A bill for the benefit of Common Schools in the county of Campbell.

On the motion of Mr. Bowman—17. A bill to reduce the price of vacant land in Casey county.

On the motion of Mr. Haggard—18. A bill to allow an additional Justice of the Peace to Cumberland county.

On the motion of same—19. A bill for the benefit of the stockholders in the Burksville Female Academy.

On the motion of Mr. Crawford—20. A bill for the benefit of the Owingsville and Big Sandy Turnpike road.

On the motion of Mr. Coleman—21. A bill for the benefit of Sarah G. Brice, of Crittenden county.

On the motion of same—22. A bill to amend the 4th, 5th, 7th and 8th sections of the act, entitled, an act the better to protect the purity of elections, approved February 8, 1845.

On the motion of Mr. Johnson—23. A bill for the benefit of J. P. Lynn, sheriff of Calloway county.

On the motion of same—24. A bill to extend the constable's district around the town of Murray.

On the motion of same—25. A bill to furnish James M. Shelly, a Justice of the Peace of Calloway county, with Morehead & Brown's Digest.

On the motion of Mr. White—26. A bill for the benefit of the citizens of the middle fork of Kentucky river, in Clay county.

On the motion of Mr. Riddle—27. A bill allowing an additional constable to the county of Morgan.

On the motion of Mr. Hager—28. A bill for the benefit of Thomas D. Honaker.

On the motion of same—29. A bill for the benefit of certain militia of the 98th regiment.

On the motion of same—30. A bill for the benefit of Winston Mayo, clerk of the Johnson circuit court, and also the late sheriff of said county.

On the motion of Mr. Board—31. A bill to increase the pay of grand jurors.

On the motion of same—32. A bill to regulate the taxation of costs in legal proceedings.

On the motion of same—33. A bill to regulate ferriages and tolls in certain cases.

On the motion of Mr. Evans—34. A bill to repeal the law of 1843, changing the time of holding magistrates' courts.

On the motion of same—35. A bill to amend the road law of Greenup county.

On the motion of same—36. A bill to provide pay for jurors in the country.

On the motion of same—37. A bill to amend an act, entitled, an act to suppress riots, routs and unlawful assemblies of the people.

On the motion of same—38. A bill to provide for the payment of claims due to contractors on the Owingsville and Big Sandy Turnpike Road.

On the motion of same—39. A bill to amend the several acts incorporating the town of Greensburg.

On the motion of same—40. A bill for the benefit of the Common School system in Greenup county.

On the motion of Mr. Ireland—41. A bill for the benefit of the trustees of Williamstown, Grant county.

On the motion of Mr. Towles—42. A bill for the benefit of James Purvis, and others, of Green county.

On the motion of Mr. Wortham—43. A bill for the benefit of the Baptist church in Simpsonville, Shelby county.

On the motion of same—44. A bill for the benefit of the Christian church, in Simpsonville.

On the motion of Mr. Morton—45. A bill declaring certain offices incompatible.

On the motion of Mr. Brown—46. A bill exempting to a bona fide house keeper, additional property from execution.

On the motion of Mr. Mayhall—47. A bill for the benefit of James Newton, late sheriff of Hancock county.

On the motion of Mr. Cobb—48. A bill for an additional Justice of the Peace for Knox county.

On the motion of Mr. Durbin—49. A bill for the benefit of Fielding McDuffy, of Harrison county.

On the motion of Mr. Meriwether—50. A bill to amend the law on the subject of apprehending runaway slaves.

On the motion of same—51. A bill to amend the law on the subject of lunatics.

On the motion of Mr. Stevenson—52. A bill for the benefit of David and Opie J. Lindsay, trustees under the will of Thomas Lindsay, deceased.

On the motion of same—53. A bill for the benefit of Robert H. Perry.

On the motion of same—54. A bill to amend the charter of the city of Covington.

On the motion of same—55. A bill to incorporate the Covington Collegiate Institute.

On the motion of same—56. A bill to amend the act, entitled, an act to incorporate Washington Lodge, No. 3, I. O. O. F., approved Jan. 7, 1846.

On the motion of same—57. A bill to incorporate the Burlington and Florence Turnpike Company.

On the motion of Mr. Pearl—58. A bill to amend the Common School law.

On the motion of same—59. A bill to appropriate the money arising from the sales of the vacant land in Laurel county, to the education of the children of said county.

On the motion of same—60. A bill to amend the law appropriating part of the tolls arising from the gate on the Madison fork of the Wilderness road, to the Jesse Moore road, in Laurel county.

On the motion of Mr. Poor—61. A bill to establish a road from Rochester, at the mouth of Muddy river, to Russellville.

On the motion of same—62. A bill to amend an act, entitled, an act to regulate the administration and settlement of accounts, approved February 20, 1839.

On the motion of same—63. A bill to change the mode of bringing suits in certain cases.

On the motion of same—64. A bill requiring certain duties of constables.

On the motion of Mr. D. Irvine—65. A bill to continue the improvement of the navigation of the Kentucky river, by locking and daming the same.

Ordered, That Messrs. Hobbs, Meriwether, Munford and Brown prepare and bring in the 1st; Messrs. Mays, Abell and Towles the 2d; Messrs. Walker, M. Elliott and Reed the 3d; the committee on the Judiciary the 4th, 11th, 15th, 18th, 19th, 21st, 22d, 31st, 32d, 34th, 36th, 37th, 43d, 44th, 50th, 51st, 52d and 54th; Messrs. Wade, Meriwether and Ireland the 5th; Messrs. Talbutt, Meriwether, Hanson and Board the 6th; the committee on Ways and Means the 7th; the committee on Education the 8th, 55th, 58th and 59th; the committee on Agriculture and Manufactures the 9th; the committee on Military Affairs the 10th and 29th; Messrs. Fletcher, Stewart and White the 12th; the committee on Internal Improvement the 13th, 14th, 33d, 49th and 57th; Messrs. McArthur, Dickerson and Rouse the 16th; Messrs. Bowman, Bell and Wortham the 17th; Messrs. Crawford, W. S. Botts, and Glenn the 20th; Messrs. Johnson, Board and Boyd the 23d, 24th and 25th; Messrs. White, Cobb, Pearl and Foley the 26th; Messrs. Riddle, Spurr and D. Irvine the 27th; the committee on Claims the 28th and 53d; Messrs. Hager, Martin, English and Armstrong the 30th; Messrs. Evans, Bradford and J. R. Jones the 35th, 39th and 40th; Messrs. Evans, Crawford and J. R. Jones the 38th; Messrs. Ireland, Riddle and Alnut the 41st; Messrs. Towles, Abell, M. Elliott and Purdom the 42d; Messrs. Morton, English, Armstrong and Spalding the 45th; Messrs. Brown, Vertress, Williams and Covington the 46th; Messrs. Mayhall, Page and Crockett the 47th; Messrs. Cobb, White and Pearl the 48th; Messrs. Stevenson, Waller, and D. Irvine the 56th; Messrs. Pearl, Salter, White and Cobb the 60th; Messrs. Poor, Rhea and Hay the 61st and 64th; Messrs. Poor, Rhea and Glenn the 62d; Messrs. Poor, Hay and Cobb the 63d, and Messrs. D. Irvine, Reed and Steele the 65th.

Mr. Evans moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into expediency of abolishing capital punishment in all cases and report by bill or otherwise.

Which was adopted.

Mr. Wright moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of bringing in a bill extending to the chancery courts jurisdiction in all chancery cases for divorce.

Which was adopted.

Mr. Wright moved the following resolution, viz:

Resolved, That the resolution of this House, instructing the committee on Religion to report against all petitions for divorce, where there was remedy at law, be and the same is hereby rescinded.

Mr. Evans moved to amend said resolution by adding the following, viz:

That the resolution be retroactive, so as to embrace all cases disposed of, so that they may be acted on again.

Mr. Hay moved to lay said resolution and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. A. G. Botts and Wright, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker,	Foley,	Mayhall,
Messrs. Armstrong,	Gilbert,	McHenry,
Beeler,	Graves,	Meriwether,
Bell,	Hall,	Mitchell,
Botts, A. G.	Hanson,	Munford,
Botts, W. S.	Harrison,	Page,
Bowmar,	Hay,	Phillips,
Brown,	Hobbs,	Poor,
Bush,	Hord,	Reed,
Clarke,	Hoy,	Spurr,
Coleman,	Ireland,	Steele,
Crawford,	Irvine, D.	Stevenson,
Covington,	Irvine, J.	Stewart,
Desha,	Johnston,	Talbutt,
Dickerson,	Jones, J. R.	Tandy,
Durbin,	Jones, W. L.	Thomas,
Elliott, M.	Jordan,	Williams,
English,	Martin,	Young—50.
Fletcher,		

Those who voted in the negative were—

Messrs. Abell,	Mays,	Soery,
Alnut,	McArthur,	Spalding,
Board,	McCallister,	Stevens,
Boyd,	Moore,	Towles,
Cobb,	Morton,	Wade,
Crockett,	Oglesby,	Walker,
Elliott, J.	Owens,	Waller,
Evans,	Pearl,	Wheeler,

Glenn,
Haggard.
Hager,
Mansfield,

Riddle,
Rouse,
Smith,

White,
Wortham,
Wright—34.

Mr. Meriwether moved the following resolution, viz:

Resolved, That Messrs. Hobbs, Haggard, Wade, Rhea and W. S. Botts be appointed a committee to examine into the management and condition of the Lunatic Asylum, and to investigate all charges made against said institution, and that said committee have power to send for persons, papers and records.

Which was adopted.

Mr. Desha moved the following resolution, viz:

Resolved, That the President of the Board of Internal Improvement be requested to communicate to this House the amount of money heretofore appropriated for the purpose of locking and daming Licking river, the amount expended, the amount due, and the probable amount necessary to complete the navigation of said river to Falmouth, Claysville, the Lower Blue Licks, and to West Liberty, respectively.

Which was adopted.

Mr. Stevenson read and laid on the table the following preamble and resolution, viz:

WHEREAS, Our country is engaged in a war with Mexico, after years of forbearance on our part, in the midst of repeated and long continued insults and injuries perpetrated by Mexico upon our commerce, and our citizens: *And, whereas*, her late extravagant claim in relation to Texas has led her into unprovoked hostilities with us: therefore,

Resolved, That the General Assembly of the Commonwealth of Kentucky deem it the duty of our government to prosecute the existing Mexican war with all the vigor and energy which is demanded alike by the interest and honor of our country.

Resolved, That whilst we regard peace as desirable, and war a calamity to any people, nevertheless, we hold our government bound to prosecute the present war until we obtain indemnity for the past, and security for the future, from the faithless government of Mexico; and we deem it the duty of Congress to vote all necessary appropriations for that purpose.

Resolved, That we consider the agitation of the question as to whether slavery shall or shall not exist in any territory which may be acquired, as entirely premature and preposterous; inasmuch as no territory is yet acquired, and the question can be much more judiciously discussed when we are not in contest with a foreign enemy.

Resolved, That we consider the principle adopted by the Missouri compromise as a safe guide on the disposal of any question of this kind which may hereafter occur.

Resolved, That we consider at the time of commencement of hostilities by Mexico against this Government, we had just cause of war against that government for repeated violations of her solemn treaty stipulations with the United States.

Resolved, That the Governor of this Commonwealth be requested to forward a copy of this preamble and resolutions to each of our Senators and Representatives in the Congress of the United States.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

Ordered, That said preamble and resolutions be referred to a committee of the whole, and made the special order of the day for Wednesday, the 27th instant, and that the Public Printer forthwith print 150 copies of said preamble and resolutions for the use of the members of the General Assembly.

The Speaker appointed Messrs. Reed, Stevenson, D. Irvine, Covington and Riddle a committee in pursuance of the resolutions in relation to the Board of Internal Improvement, and the extension of slack water on the Kentucky river.

The Speaker laid before the House the report of the Trustees of the Cumberland Hospital, which is as follows, to-wit:

Report of the Trustees of the Cumberland Hospital, to the General Assembly of Kentucky, January 1, 1847.

CUMBERLAND HOSPITAL,

CR.

By balance last report,	-	-	\$ 28 61
By cash from United States Treasury,	-	-	753 00
By the annual appropriation of the Legislature,	-	-	1,500 00
By cash from deceased persons,	-	-	22 20
			<hr/>
			\$2,303 81

CUMBERLAND HOSPITAL,

DR.

To this sum paid Thomas McCormick, for 524 4-7 weeks board, and attention to patients, at \$3 50 per week,	-	-	\$ 1,836 00
To same, for 12 burials, at \$6 per burial,	-	-	72 00
To same, for washing 282 1-6 dozen, at 50 cents,	-	-	141 08
To same, for taking care of two small-pox cases, 89 days, at \$2 per day,	-	-	178 00
To J. W. Mills, his bill,	-	-	10 78
To W. Gordon, his bill,	-	-	42 91
To D. B. Sanders, M. D., for medical services up to date,	-	-	300 00
			<hr/>
			\$2,580 77
Total debits,	-	-	\$ 2,580 77
Total credits,	-	-	2,303 81
			<hr/>
Due the trustees,	-	-	\$276 96

The foregoing shows a true statement of the business of Cumberland Hospital, for the year 1846, leaving a balance as above, of \$276 96, due to

the Trustees of said Institution, the expenditures for the year being that much more than the receipts. The expenditures of 1846 are not so much as those of 1845, by a few dollars, but the amount received from the United States Treasury has been less by several hundred dollars, which has been the cause of the deficit in the means of the Institution, to meet its requirements.

An appropriation of \$276 96 to pay the deficit at present existing, and the usual annual appropriation of \$1,500, (with the amount expected from the Treasury of the United States,) it is presumed will be sufficient to meet all the demands upon the Institution for the present year.

There have been admitted into the Hospital, during the past year, one hundred and twenty three patients, (among them many sick volunteers returning to their homes,) out of which number there have been twelve deaths, eight remaining, and the balance discharged cured.

All of which is respectfully submitted.

WM. GORDON,
WM. SMEDLEY,
H. F. GIVEN,
JOHN E. WILSON,

Trustees of the Cumberland Hospital.

Ordered, That said report be referred to the committee on Claims.

And then the House adjourned.

TUESDAY, JANUARY 19, 1847.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from that, of the following titles, viz:

An act to authorize Henry S. Mitchell to lay off a town in Allen county.

An act for the benefit of Edward Graves, coroner of Boone county,

That they had concurred in the adoption of a resolution from this House, directing the joint committee on Banks to examine the Lunatic Asylum, with an amendment.

That they had passed bills from this House of the following titles, viz:

An act to compel the trustees of the town of Tompkinsville to keep the streets in order.

An act to authorize the county court of McCracken county, to sell or remove the present court house, and build a new one, and for other purposes.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled, an act for the benefit of the Grand and Subordinate Lodges of the Independent Order of Odd Fellows, and for the

benefit of Washington Lodge, No. 3, in the city of Covington, approved January 21, 1846.

An act for the benefit of John W. Hughes, Nancy N. Hughes and Henry Hughes, of Hancock county.

1. Mr. Hobbs presented the petition of sundry citizens of Louisville and Jefferson county, praying a change in the law as to the appointment of salt inspectors.

2. Mr. Spalding presented the petition of sundry citizens of Union, praying the enlargement of a constable's district in said county.

3. Mr. Graves presented the petition of William Darnell, praying a change of venue in the prosecution now pending against him in the Larue circuit court.

4. Mr. McArthur presented the petition of sundry citizens of Campbell county, praying the passage of an act incorporating a company to construct a turnpike road from Covington to Taylorsville, in Boone county.

5. Mr. Purdom presented the petition of sundry citizens of Lincoln county, praying an amendment to the laws in relation to the Standford Academy.

6. Mr. W. S. Botts presented the petition of sundry citizens of Fleming county, praying an amendment to the laws in relation to granting tavern licenses.

7. Mr. Talbutt presented the petition of Lewis Vimont, praying that compensation be made him for losses sustained upon a contract for constructing a part of the Winchester and Lexington Turnpike Road.

8. Mr. Rhea presented the petition of Edward R. Sumpter and Elizabeth Sumpter, praying to be divorced from each other.

9. Mr. Soery presented the petition of sundry citizens of Trigg county, praying the passage of a law authorizing the county court of said county to grant Sarshall Grasty a license to retail spirituous liquors.

10. Mr. Haggard presented the petition of Joseph W. Grigg, praying the passage of a law granting him and others, the privilege of cutting wood from public lands, for the use of school houses.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on Agriculture and Manufactures; the 2d, 3d and 6th to the committee on the Judiciary; the 4th and 7th to the committee on Internal Improvement; the 5th and 10th to the committee on Education; the 8th to the committee on Religion; and the 9th to the committee on Ways and Means.

Mr. McHenry moved the following resolutions, viz:

Resolved, That the committee on the Sinking Fund, be directed to enquire and report to this House, what delays occurred during the fiscal year, ending 10th October, 1846, in the payment into the Treasury, of the moneys collected on the Kentucky River Navigation, after the same was received, or should have been received by the collector, and the cause of such delays.

Resolved, That said committee be instructed to prepare and report a bill requiring the collector of tolls on said navigation, to make weekly statistical reports of the business, and accompany each report by the payment of the money collected for the week.

Which were adopted.

Mr. Stewart read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on Tuesday the 26th day of this instant, proceed, by joint vote of both Houses, to the election of a Senator in the Congress of the United States, to serve for six years from and after the 4th day of March next.

The rule of the House requiring joint resolutions to lie one day on the table being dispensed with, the said resolution was twice read and adopted.

Mr. Graves moved the following resolution, viz:

Resolved, That the committee on the Library be directed to enquire into the propriety and expediency of procuring the debates and proceedings of the Congress of the United States, for the use and benefit of the State Library.

Which was adopted.

Mr. Graves moved the following resolution, viz:

Resolved, That the committee on Printing be directed to enquire into the propriety and expediency of the General Assembly of the Commonwealth of Kentucky letting out the Public Printing by contract, to the lowest bidder, according to such regulations as may hereafter be established and adopted regulating the same, and of the General Assembly of the Commonwealth aforesaid, appointing that individual or individuals, Public Printer or Printers, who may be the lowest bidder as aforesaid, as prescribed by the constitution.

Which was adopted.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Stewart—1. A bill for the benefit of Walsley Orear, constable of Montgomery county.

On the motion of Mr. Graves—2. A bill to modify the 11th section of an act passed in 1845, entitled, an act the better to protect the purity of elections.

On the motion of same—3. A bill to clear out the Rolling Fork.

On the motion of Mr. Oglesby—4. A bill to give county courts jurisdiction to change or alter election precincts in their respective counties.

On the motion of Mr. A. G. Botts—5. A bill for the benefit of James Coyle, jailer of Nelson county.

On the motion of Mr. J. Elliott—6. A bill for the benefit of Rebecca Evans.

On the motion of Mr. Alnut—7. A bill for the benefit of the coroner and surveyor of Owen county.

On the motion of same—8. A bill for the benefit of the infant children of Thomas Suter, of Owen county.

On the motion of Mr. Bell—9. A bill to amend the militia law.

On the motion of Mr. M. Elliott—10. A bill to tax deadly weapons usually worn concealed.

On the motion of same—11. A bill to change an election precinct in Pulaski county, and for other purposes.

On the motion of Mr. Wheeler—12. A bill to amend the law in relation to pedlers.

On the motion of same—13. A bill to allow an additional Justice of the Peace to the county of Pendleton.

On the motion of Mr. Owens—14. A bill to prohibit the sale of arsenic by druggists and merchants, only on certain conditions.

On the motion of same—15. A bill to reduce the price of vacant lands in Russell county.

On the motion of Mr. W. L. Jones—16. A bill for the benefit of the Shiloh and Olivit Churcher, in Shelby county.

On the motion of same—17. A bill for the benefit of the widow and heirs of Henry C. Bedinger, deceased.

On the motion of Mr. Dickerson—18. A bill to amend and reduce into one all the acts in relation to the town of Georgetown.

On the motion of Mr. Spalding—19. A bill for the benefit of George Johnson, sheriff of Union county.

On the motion of Mr. Williams—20. A bill to regulate appeals from Justices of the Peace.

On the motion of same—21. A bill to amend the law in civil proceedings.

On the motion of same—22. A bill to regulate doctor's fees.

Ordered, That Messrs. Stewart, Hobbs and Bush prepare and bring in the 1st; the committee on Privileges and Elections the 2d and 4th; Messrs. Graves, Abell and Beeler the 3d; the committee on Claims the 5th and 6th; Messrs. Alnut, English and Ireland the 7th; the committee on the Judiciary the 8th, 14th, 16th, 17th and 20th; the committee on Military Affairs the 9th; the committee on Ways and Means the 10th, 12th and 19th; Messrs. M. Elliott, Williams and Purdom the 11th; Messrs. Wheeler, Ireland and Durbin the 13th; Messrs. Owens, Williams and Haggard the 15th; Messrs. Dickerson, Desha and Reed the 18th; Messrs. Williams, Evans and Munford the 21st, and Messrs. Williams, Evans, Bradford and J. R. Jones the 22d.

Mr. Glenn moved the following resolution, viz:

Resolved, That the committee on the Judiciary be requested to examine the constitution, and if in their opinion the legislature can, without a violation of that instrument, pass a law to prevent persons hereafter from liberating their slaves unless they provide the ways and means to transport them

to Liberia, or some place beyond the limits of this State, they be instructed to report a bill for that purpose.

Which was adopted.

Mr. Glenn moved the following resolution, viz:

Resolved, That the committee on the Judiciary be requested to examine the law regulating the price of public printing, approved March 2d, 1842, and if, in their opinion, said law did not allow the Public Printer to charge more than once for composition, or type setting, they are instructed to report a bill to require the Public Printer, under said law, to pay back to the State the amount overdrawn.

Which was adopted.

Mr. Covington moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the policy of so amending the law of mortgages and deeds of trust as to require all payments made thereon, to be noted on the record of the same, within days thereafter, under the penalty of .

Which was adopted.

A message was received from the Governor, by Mr. Kinkead, Secretary of State, announcing that he had approved and signed enrolled bills and a preamble and resolutions which originated in this House, of the following titles, viz:

An act for the benefit of Richard Buchanan and Benjamin Hayden.

An act for the benefit of Sylvester and Rebecca Patton.

An act for the benefit of Joseph Brownold and others.

Approved January 12, 1847.

An act or the benefit of Richard Darnell.

An act to change the name of Joab Hoffman to that of Joseph Hoffman.

An act to incorporate the Old School Presbyterian Church, in Newport.

An act to incorporate the Sharpsburg Male and Female Academy.

An act to change the names of Jacob McClung and Pleasant McClung.

An act declaring the Louisa fork of Big Sandy river a navigable stream.

An act for the benefit of John D. Locke, a lunatic.

An act to abolish the benefit of clergy.

An act allowing additional Justices of the Peace to Graves and Muhlenburg counties.

An act for the benefit of Charles H. Smith.

An act for the benefit of Syllodon Sidney Smith.

An act for the benefit of John S. Page and others.

An act for the benefit of William Long and Ann Elizabeth Long.

An act for the benefit of Artimesia Jones and James Jones.

An act to incorporate the town of Lower Cloverport, in Breckinridge county.

Approved January 16, 1847.

Preamble and resolutions in relation to the increase of the pay of the volunteers of the Mexican war.

Approved January 12, 1847.

The House resumed the consideration of the bill to change the time of holding the terms of the Court of Appeals.

Ordered, That said bill be referred to a committee of the whole House for Thursday next.

The House resumed the consideration of the bill for the benefit of James Jackman.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs Wade and McHenry, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,	Harrison,	Reed,
Boyd,	Hord,	Smith,
Cobb,	Hoy,	Soery,
Covington,	Mansfield,	Spalding,
Dickerson,	Mays,	Spurr,
Elliott, J.	Morton,	Steele,
Elliott, M.	Ogelsby,	Towles,
Evans,	Owens,	Williams,
Fletcher,	Pearl,	Wortham,
Glenn,	Poor,	Wright,
Haggard,	Purdom,	Young—34.
Hanson,		

Those who voted in the negative, were—

Mr. Speaker,	Gilbert,	Moore,
Messrs. Abell,	Graves,	Munford,
Armstrong,	Hager,	Page,
Beeler,	Hall,	Phillips,
Bell,	Hay,	Proctor,
Botts, A. G.	Hobbs,	Rhea,
Botts, W. S.	Ireland,	Riddle,
Bowman,	Irvine, D.	Rouse,
Bowmar,	Irvine, J.	Stevens,
Bradford,	Jones, J. R.	Stewart,
Brown,	Jones, W. L.	Talbutt,
Bush,	Jordan,	Tandy,
Clarke,	Martin,	Thomas,
Coleman,	Mayhall,	Thompson,
Crockett,	McArthur,	Vertress,
Desha,	McCallister,	Wade,

Devereux,
Durbin,
English,
Foley,

McHenry,
Meriwether,
Mitchell,

Walker,
Wheeler,
White—58.

Mr. McHenry, from the committee on the Judiciary, to whom was referred bills of the following titles, viz:

A bill to amend the acts incorporating the town of Blanville, in Ballard county, and Clarksburg, in Lewis county.

A bill regulating the granting of injunctions and attachments.

Reported the same with amendments to each, which were concurred in.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles of the second be as aforesaid, and the first be amended, by adding, "and Hawsville, in Hancock county."

Mr. McHenry, from the same committee, to whom was referred a bill to amend the law relating to the acknowledgment of deeds, &c., by femes covert, reported the same without amendment.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative, and so the said bill was rejected.

Mr. McHenry, from the same committee, to whom was referred a bill to regulate the practice of law before Justices of the Peace, reported the same with an amendment.

On motion of Mr. Wortham,

Ordered, That said bill and amendment be laid on the table.

Mr. McHenry, from the same committee, to whom was referred a bill to amend the garnishee law, reported the same without amendment.

Ordered, That said bill be referred to Messrs. Williams, Evans, Page, Vertress and Stevenson.

The Speaker laid before the House a communication from the Secretary of State, in relation to the exchange of State bonds, which is as follows, viz:

I herewith transmit to the House, over which you preside, a report of State bonds exchanged between 25th December, 1845, and 25th December, 1846.

Very respectfully,

GEO. B. KINKEAD, *Secretary of State*.

To the Hon. LESLIE COMBS,

Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

The following bills were reported by the committee on the Judiciary, viz:

A bill for the benefit of George W. Cox.

A bill for the benefit of the sheriff and late clerk of the county of Clay.

A bill to repeal in part an act, entitled, an act further to provide for the appointment of patrols in this Commonwealth, approved February 18, 1841.

A bill for the benefit of Morgan Myers and wife.

A bill for the benefit of Hugh Lynn Gilkerson.

A bill for the benefit of Thomas Woodford.

A bill for the benefit of Louisa M. Garesche and others.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had adopted a resolution fixing a day for the election of a United States Senator.

Mr. McHenry, from the committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of the infant heirs of William McKitrick, deceased.

An act for the benefit of John McAfee, of Mercer county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred bills of the following titles, viz:

A bill to amend the law of descents.

A bill to amend the law in relation to executors, administrators, curators and guardians.

Reported the same without amendment.

Ordered, That said bills be referred to a committee of whole House, and made the special order of the day for Monday next, and that the Public Printer forthwith print 150 copies of said bills for the use of the members of the General Assembly.

And then the House adjourned.

WEDNESDAY, JANUARY 20, 1847.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to regulate the tare on sugar barrels.

An act to amend the patroll law of Clarke county.

An act to amend an act, entitled, an act for the benefit of John Duerson, approved January 31, 1846.

An act to allow an additional constable to Casey county.

An act to authorize the surveyor's books of Barren county to be transcribed.

An act to change the name of Harry Wicks to that of Harry Ferguson.

An act for the benefit of Parmelia Redman.

An act for the benefit of the jailers of Madison, Anderson, Boyle and Calloway counties.

That they had passed bills of the following titles, viz:

An act to incorporate the Paris Cemetery Company.

An act regulating judgments for costs in actions brought by executors and administrators.

An act to incorporate the Trustees of the Clinton county Academy.

An act to change the name of Nancy Young Moore to that of Nancy Young Mitchasson.

An act for the benefit of Zatte Cushing.

An act for the benefit of the children of Dr. W. D. S. Taylor.

An act for the benefit of Mrs. Louisa V. Newman.

That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to take the sense of the people of this State as to the propriety of calling a convention.

An act to incorporate the Breckinridge College.

An act to amend the charter of the Winchester and Lexington Turnpike Company.

An act for the benefit of William Barnes, Sen., and the widow and heirs of Richard Barnes, deceased.

An act for the benefit of Jane Berryman.

An act for the benefit of Beverly Megary, of Graves county.

An act for the benefit of Henry D. Wilkerson.

An act to change the venue in the prosecution against Hiram Harris.

An act to incorporate the Mt. Alba Female Collegiate Institute, in the county of Breckinridge.

Approved January 12th, 1847.

An act to change the venue in the prosecution against Alexander Frazier.

An act for the benefit of Reuben Poland and Martha S. Poland.

An act to change the venue in the prosecution of Valentine W. Peyton.

An act to authorize the construction of a mill dam across the south fork of Rough creek.

Approved January 14th, 1847.

The Governor approved and signed an enrolled joint resolution originating in the Senate, entitled, "a resolution concerning certain repairs to the State House."

Approved January 12th, 1847.

1. Mr. Harrison presented the petition of the Trustees of the town of Hopkinsville, praying an amendment to the laws in relation to the said town.

2. Mr. Reed presented the petition of P. F. Hansbrough, guardian of Mary Elizabeth Johnson, praying the passage of a law authorizing the sale of certain real estate belonging to his ward.

3. Mr. Alexander presented the remonstrance of sundry citizens of Meade county against the formation of a new county out of parts of said county, and the counties of Hardin, Bullitt and Jefferson.

4. Mr. Haggard presented the petition of the county court of Cumberland, praying the passage of a law authorizing the clerk of said court to transcribe certain books in his office.

5. Mr. Williams presented the petition of sundry citizens of Wayne county, praying that an additional Justice of the Peace be allowed to said county.

6. Mr. Mitchell presented the petition of sundry citizens of Boyle county, praying an amendment to the charters of the Danville and Perryville, and the Danville and Hustonville Turnpike Road Companies.

Which were received, the reading thereof dispensed with, and referred, the 1st, 2d, 4th and 5th to the committee on the Judiciary; the 3d to the committee on Propositions and Grievances, and the 6th to the committee on Internal Improvement.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to authorize the county court of McCracken county, to sell or remove the present court house, and build a new one, and for other purposes.

An act to compel the trustees of the town of Tompkinsville to keep the streets in order.

An act for the benefit of William Smith, clerk of the Grant circuit and county courts, and William H. Evans, late sheriff of Grant county.

An act for the benefit of Benjamin Payne, of Daviess county.

An act for the benefit of Robert A. Wright.

An act for the benefit of George F. Catlett, late sheriff of Union county.

An act for the benefit of Samuel T. Crews.

An act to declare Whippoorwill a navigable stream.

An act for the benefit of James Cunningham, of Trigg county.

An act to amend the road laws in Pendleton county.

An act for the benefit of Samuel C. Trotter, and others.

Resolutions in relation to the Board of Internal Improvement, and the extension of slack water on the Kentucky river.

Also, enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to authorize Henry S. Mitchell to lay off a town in Allen county.

An act to incorporate the Kentucky Military Institute.

An act authorizing the sale of the jail in the town of Hopkinsville.

An act to amend an act, entitled, an act to incorporate the Lawrence County Coal Mining Company.

An act to amend an act concerning the town of Albany, in Clinton county, approved February 14th, 1846.

An act authorizing the sale of the parsonage house in the town of Elkton.

An act to amend the charter of the Paducah Railways, and for other purposes.

An act for the benefit of the mechanics of the town of Louisa.

An act for the benefit of Jacob Mayo, late clerk of the Floyd county and circuit courts.

An act for the benefit of John Jones and others.

An act for the benefit of Moses Scott Rice, surveyor of Boone county.

An act for the benefit of Edward Graves, coroner of Boone county, and for other purposes.

An act authorizing a chancery term of the Nicholas circuit court.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. McHenry, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of Isaac Ayres, reported the same without amendment.

The question was then taken on reading said bill a third time, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. McHenry and Wortham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Fletcher,	Moore,
Messrs. Abell,	Glenn,	Morton,
Alexander,	Graves,	Munford,
Alnut,	Haggard,	Oglesby,
Armstrong,	Hager,	Owens,
Beeler,	Hanson,	Page,
Bell,	Harrison,	Poor,
Board,	Hord,	Reed,
Botts, A. G.	Hoy,	Rhea,
Botts, W. S.	Ireland,	Riddle,
Bowmar,	Irvine, J.	Soery,
Brown,	Johnston,	Spalding,
Bush,	Jones, J. R.	Spurr,
Clarke,	Jones, W. L.	Stevens,
Coleman,	Jordan,	Talbutt,
Crawford,	Mansfield,	Tandy,
Covington,	Marshall,	Thompson,
Desha,	Martin,	Wade,
Devereux,	Mayhall,	Walker,
Dickerson,	Mays,	Wheeler,
Durbin,	McArthur,	White,
Elliott, J.	McCallister,	Williams,
Elliott, M.	Meriwether,	Wright,
English,	Mitchell,	Young—73.
Evans,		

Those who voted in the negative, were—

Messrs. Bowman,	Hay,	Rouse,
Bradford,	McHenry,	Smith,
Foley,	Pearl,	Thomas,
Gilbert,	Phillips,	Vertress,
Hall,	Proctor,	Wortham—15.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of the heirs of Mabry T. Cox.

An act for the benefit of Nathaniel S. Robertson.

An act for the benefit of Joseph Crow, of Allen county.

An act for the benefit of John Hoy, of Simpson county.

An act for the benefit of William Wadlington, of Caldwell county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the committee on the Judiciary, reported the following bills, viz:

1. A bill to amend the rules of chancery practice.

2. A bill to authorize the chancellor of the Louisville chancery court to sign law license.

3. A bill for the benefit of David Mize, deceased.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The 1st was referred to a committee of the whole House, and made the special order of the day for Saturday, the 23d instant, and the 2d and 3d, were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 2d and 3d bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the first bill for the use of the members of the General Assembly.

Mr. McHenry, from the same committee, reported a bill to prevent the sale of spirituous liquors in Bloomfield.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

On motion of Mr. Alexander,

Ordered, That said bill be laid on the table.

The House then took up the amendments proposed by the Senate, as a substitute to the resolution from this House, directing the joint committee on Banks to examine the Lunatic Asylum.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

The yeas and nays, being required thereon by Messrs. Williams and Glenn, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Armstrong,
Botts, A. G.
Botts, W. S.
Bradford,
Bush,
Clarke,

Hord,
Hoy,
Johnston,
Jones, J. R.
Jordan,
Martin,

Rhea,
Riddle,
Rouse,
Salter,
Soery,
Spalding,

Crawford,
Crockett,
Covington,
Elliott, J.
English,
Evans,
Fletcher,
Gilbert,
Glenn,
Hager,
Hall,
Hay,

Mayhall,
McCallister,
McHenry,
Meriwether,
Mitchell,
Morton,
Munford,
Oglesby,
Owens,
Pearl,
Phillips,
Poor,

Stevens,
Stewart,
Talbutt,
Tandy,
Thompson,
Vertress,
Wade,
Waller,
Williams,
Wortham,
Wright,
Young—54.

Those who voted in the negative, were—

Mr. Speaker.
Messrs. Abell,
Alexander,
Alnut,
Beeler,
Bell,
Bowman,
Bowmar,
Boyd,
Brown,
Coleman,
Desha,
Devereux,
Dickerson,

Durbin,
Elliott, M.
Foley,
Graves,
Haggard,
Hanson,
Harrison,
Ireland,
Irvine, D.
Irvine, J.
Jones, W. L.
Mansfield,
Marshall,

Mays,
McArthur,
Moore,
Page,
Proctor,
Reed,
Smith,
Spurr,
Stevenson,
Thomas,
Walker,
Wheeler,
White—40.

On the motion of Mr. Spalding, leave was given to bring in a bill to change the 16th, 2d and 7th judicial districts, and regulate the courts of the same.

Ordered, That Messrs. Spalding, Boyd, Morton, Soery, Harrison, Coleman, McCallister and Stevens prepare and bring in the same.

Mr. Wright moved the following resolution, viz:

Resolved, That the committee on the Sinking Fund be instructed to enquire into, and report to this House, how the tolls received on the Kentucky River Navigation are kept after they are received by the collector, and whether any portion or part thereof has at any time been loaned by the collector to individuals; and if so, whom to, and how much to each individual, if more than one; and whether the office of collector cannot be dispensed with, and his duties devolved upon one of the Auditor's offices, and the tolls be required to be paid into the Treasury; that the collector be examined on oath, and that the committee have power to send for persons and papers.

Which was adopted.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to amend the act incorporating the town of Flemingsburg.

An act authorizing the taking of depositions of certain officers of the Lunatic Asylum.

Were taken up, twice read and concurred in.

Bills from the Senate, of the following titles, viz:

1. An act to enlarge a constable's district in Clarke county.
2. An act to amend an act, entitled, an act for the benefit of David A. Sayre.
3. An act for the benefit of James Davidson, Treasurer
4. An act to repeal the law authorizing deeds to be recorded in the clerk's office of the Court of Appeals and General Court.
5. An act better to define the duties of surveyors in this Commonwealth.
6. An act for the benefit of Philip Lightfoot and Isaiah Heston, late sheriffs of Breckinridge county.
7. An act to incorporate the Grand Division of Sons of Temperance of Kentucky.
8. An act to amend an act, entitled, an act to incorporate the Grand Lodge of the Independent Order of Odd Fellows of the State of Kentucky, approved February 16, 1838.
9. An act to simplify the authentication of foreign deeds and other instruments.
10. An act to amend an act, entitled, an act for the benefit of the Grand and Subordinate Lodges of the Independent Order of Odd Fellows, and for the benefit of Washington Lodge, No. 3, in the city of Covington, approved January 20, 1846.
11. An act for the benefit of Joseph W. Hughes, Nancy N. Hughes and Henry Hughes, of Hancock county.
12. An act to incorporate the Paris Cemetery Company.
13. An act regulating judgments for costs in actions brought by executors and administrators.
14. An act to incorporate the Trustees of the Clinton county Academy.
15. An act to change the name of Nancy Young Moore to that of Nancy Young Mitchusson.
16. An act for the benefit of Zatte Cushing.
17. An act for the benefit of the children of Dr. W. D. S. Taylor.
18. An act for the benefit of Mrs. Louisa V. Newman.

Were read the first time and ordered to be read the second time,

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st, 7th, 10th, 11th, 12th, 14th, 15th, and 17th were severally ordered to be read a third time; the 2d was referred to the committee on the Sinking Fund; the 3d and 6th to the committee on Ways and Means; the 4th, 5th, 8th, 9th, 13th, 16th and 18th to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 7th, 10th, 11th, 12th, 14th, 15th and 17th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as afore-said.

The House took up the resolution from the Senate, for a final adjournment of the General Assembly, which reads as follows, viz :

Resolved, That the General Assembly of the Commonwealth of Kentucky will adjourn *sine die* on the 10th day of February, 1847.

Mr. McHenry moved to refer said resolution to a select committee.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Salter and Evans, were as follows, viz :

Those who voted in the affirmative, were—

Mr. Speaker,	Hager,	Owens,
Messrs. Abell,	Hanson,	Page,
Alexander,	Harrison,	Pearl,
Beeler,	Hay,	Phillips,
Bell,	Hord,	Proctor,
Board,	Hoy,	Reed,
Botts, A. G.	Ireland,	Riddle,
Botts, W. S.	Irvine, D.	Rouse,
Bowmar,	Irvine, J.	Smith,
Boyd,	Johnston,	Soery,
Brown,	Jones, J. R.	Spalding,
Bush,	Jones, W. L.	Stevens,
Crawford,	Jordan,	Stevenson,
Crockett,	Mansfield,	Talbutt,
Covington,	Marshall,	Tandy,
Devereux,	Martin,	Thomas,
Dickerson,	Mayhall,	Vertress,
Durbin,	McArthur,	Wade,
Elliott, J.	McCallister,	Walker,
Elliott, M.	McHenry,	Waller,
Evans,	Meriwether,	Wheeler,
Fletcher,	Mitchell,	Williams,
Gilbert,	Moore,	Wortham,
Glenn,	Morton,	Wright,
Graves,	Munford,	Young—77.
Haggard,	Oglesby,	

Those who voted in the negative, were—

Messrs. Alnut,	Desha,	Rhen,
Armstrong,	English,	Salter,
Bowman,	Foley,	Spurr,
Bradford,	Hall,	Stewart,
Clarke,	Mays,	White—17.
Coleman,	Poor,	

Whereupon, Messrs. McHenry, Stevenson, D. Irvine, Mitchell and Moore were appointed said committee.

Mr. Owens asked leave to withdraw the petition of James Jackman, which was granted, and the same was withdrawn.

Mr. English moved the following resolution, viz:

Resolved, That the committee on Internal Improvement be, and they are hereby instructed to enquire into the propriety of reporting a bill to this House regulating the rate of transportation on the railroad from Lexington to Frankfort; also, regulating the rates of tolls on the Kentucky river, so as to prevent a monopoly on said river.

Mr. Reed moved the following amendment thereto, viz:

Resolved, That said committee be instructed to enquire into the expediency of giving the Board of Internal Improvement the right to institute suit or suits, at any time or times, in their discretion, against any person or persons, co-partnership or corporation, with whom the State may be jointly interested, when they shall believe that said person or persons, co-partnership or corporation, are in any wise so conducting their concerns as to violate, in any way, the legal rights or interest of the Commonwealth of Kentucky.

Which was adopted.

The said resolution, as amended, was then twice read and adopted.

And then the House adjourned.

THURSDAY, JANUARY 21, 1847.

A message was received from the Senate, announcing their concurrence in the adoption of a resolution from this House, fixing a day for the election of a Senator in Congress.

That they had passed bills of the following titles, viz:

An act for the benefit of the Anderson Infantry.

An act for the benefit of the surveyor of Marshall county.

Mr. McHenry presented the petition of Mrs. Louisa Bunton, widow of John Bunton, deceased, and others, heirs of said Bunton, praying a confirmation of a sale of certain real estate of said deceased, made by said widow and the adult heirs of said deceased.

Which was received and referred to the committee on the Judiciary.

Mr. Hobbs asked to be excused from serving on the committee appointed to examine the Lunatic Asylum, and investigate the charges against the same, which was granted.

Ordered, That Mr. Brown be appointed in the stead of Mr. Hobbs.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to enlarge a constable's district in Clarke county.

An act to change the name of Nancy Young Moore to that of Nancy Young Mitchusson.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. McHenry, from the committee on the Judiciary, to whom was referred bills of the following titles, viz:

1. A bill to amend an act incorporating the town of Burksville.

2. A bill to authorize the proper courts to change the names of persons and legitimate children born out of wedlock.

3. A bill to amend an act, entitled, an act for the benefit of the Trustees of the town of Bowlinggreen.

Reported the 1st and 2d with, and the 3d without, amendment.

Which was concurred in.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred a bill to increase the jurisdiction of Justices of the Peace, reported the same without amendment.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the 5th section of an act, entitled, an act to amend the act to increase the jurisdiction of Magistrates, approved January 28th, 1813, be and the same is hereby so amended, as to increase the jurisdiction of the Justices of the Peace to the sum of one hundred dollars.

Mr. McHenry moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Johnston and Board, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Evans,	Phillips,
Messrs. Alnut,	Foley,	Poor,
Armstrong,	Haggard.	Proctor,
Botts, A. G.	Hay,	Pardom,
Botts, W. S.	Ireland,	Riddle,
Bowman,	Irvine, D.	Rouse,
Brown,	Jones, W. L.	Spurr,

Bush,
Crawford,
Crockett,
Desha,
Dickerson,
Elliott, J.
English,

McCallister,
McHenry,
Mitchell,
Munford,
Oglesby,
Owens,
Page,

Thomas,
Thompson,
Waller,
White,
Wortham,
Wright,
Young—42.

Those who voted in the negative, were —

Messrs. Abell,
Alexander,
Beeler,
Board,
Bowmar,
Boyd,
Bradford,
Clarke,
Cobb,
Coleman,
Covington,
Durbin,
Elliott, M.
Gilbert,
Glenn,

Graves,
Hager,
Harrison,
Hord,
Irvine, J.
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Martin,
Mays,
McArthur,
Meriwether,
Moore,
Morton,

Pearl,
Rhea,
Salter,
Smith,
Soery,
Spalding,
Stevens,
Talbutt,
Tandy,
Vertress,
Wade,
Walker,
Wheeler,
Williams—44.

Ordered, That said bill be referred to Messrs. Williams, Board and Johnston.

Mr. McHenry, from the same committee, to whom was referred a bill to amend the execution law, reported the same without amendment.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, there shall be exempt to each defendant in execution, who is a bona fide house keeper, on all contracts hereafter made, a family residence worth three hundred dollars, the value to be ascertained by two disinterested house keepers, one to be selected by the officer, or plaintiff, and the other by the defendant, in execution; any officer levying on or selling said property after it has been so set apart, shall be liable to a fine of five hundred dollars, to be collected as other fines.

Mr. Meriwether moved to amend said bill, by adding the following, viz:

That before any debtor or debtors shall claim any exemption of property from execution, as now authorized by law, such debtor shall make oath before some Justice of the Peace, for the county wherein such debtor may reside, or wherein such execution or executions may have issued, that he or she have surrendered every description of property, choses in action, and money owned by such debtor.

Mr. Haggard moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glenn and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hager,	Pearl,
Messrs. Armstrong,	Hall,	Phillips,
Beeler,	Harrison,	Proctor,
Bell,	Hay,	Purdum,
Botts, A. G.	Hord,	Rhea,
Botts, W. S.	Ireland,	Riddle,
Bowman,	Irvine, D.	Rouse,
Bowmar,	Irvine, J.	Salter,
Bradford,	Johnston,	Smith,
Brown,	Jones, J. R.	Soery,
Bush,	Jones, W. L.	Spalding,
Clarke,	Jordan,	Spurr,
Cobb,	Mansfield,	Stewart,
Crockett,	Martin,	Tandy,
Covington,	Mays,	Thomas,
Devereux,	McArthur,	Thompson,
Dickerson,	McCallister,	Vertess,
Elliott, J.	McHenry,	Waller,
Elliott, M.	Mitchell,	Wheeler,
English,	Moore,	White,
Evans,	Morton,	Williams,
Foley,	Munford,	Wortham,
Gilbert,	Oglesby,	Wright,
Graves,	Owens,	Young—73.
Haggard,	Page,	

Those who voted in the negative, were—

Messrs. Abell,	Crawford,	Meriwether,
Alexander,	Desha,	Poor,
Alnut,	Durbin,	Stevens,
Board,	Fletcher,	Talbutt,
Boyd,	Glenn,	Wade,
Coleman,	Mayhall,	Walker—18.

Mr. McHenry, from the same committee, to whom was referred a bill to incorporate the Trustees of the Pleasant Hope Meeting House, in Daviess county, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

Mr. McHenry, from the same committee, asked to be discharged from the further consideration of the leave to bring in a bill to allow to Justices of the Peace a copy of Loughborough's Digest.

Which was granted.

Mr. A. G. Botts, from the committee on Religion, to whom was referred the petition of William Grissom, praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Haggard moved to amend said resolution, by striking out "be rejected," and inserting "is reasonable."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. Irvine and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Mansfield,	Rouse,
Board,	Mayhall,	Smith,
Coleman,	Mays,	Soery,
Crockett,	McArthur,	Spalding.
Elliott, J.	McCallister,	Stevens,
Elliott, M.	Moore,	Wade,
Evans,	Morton,	Walker,
Glenn,	Oglesby,	Wheeler,
Haggard,	Owens,	Wortham,
Hager,	Reed,	Wright—30.

Those who voted in the negative, were—

Mr. Speaker,	English,	Munford,
Messrs. Abell,	Fletcher,	Page,
Alnut,	Foley,	Pearl,
Armstrong,	Gilbert,	Phillips,
Beeler,	Graves,	Poor,
Bell,	Hanson,	Proctor
Botts, A. G.	Harrison,	Rhea,
Bowman,	Hay,	Riddle,
Bowmar,	Hord,	Salter,
Boyd,	Ireland,	Spurr,
Bradford,	Irvine, D.	Stewart,
Bröwn,	Irvine, J.	Talbutt,
Bush,	Johnston,	Tandy,
Clarke,	Jones, J. R.	Thomas,
Crawford,	Jones, W. L.	Thompson,
Covington,	Jordan,	Vertress,
Desha,	Martin,	White,
Devereux,	McHenry,	Williams,
Dickerson,	Meriwether,	Young—59.
Durbin,	Mitchell,	

The said resolution was then concurred in.

Mr. A. G. Botts, from the committee on Religion, to whom was referred the petition of George Whitsell; the petition of Nancy McCown, and the petition of Henry B. Miller, each praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Johnston, from the same committee, to whom was referred the petition of Sarah Ann Huss, reported the same with the following resolution, viz :

Resolved, That said petition be rejected.

Which was concurred in.

Mr. A. G. Botts, from the same committee, to whom was referred the petition of Cyrus Pharis, reported the same with the following resolution, viz :

Resolved, That said petition be rejected.

Mr. Haggard moved to amend said resolution by striking out "be rejected," and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. J. R. Jones, from the same committee, to whom was referred the petition of Martha Chumley, reported the same with the following resolution, viz :

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Page, from the committee on Ways and Means, reported the following bills, viz :

A bill for the benefit of Thornton F. Johnson.

A bill for the benefit of John R. Ringo.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Page, from the same committee, to whom was referred a bill from the Senate, entitled, an act authorizing the Board of Internal Improvement to compromise and settle with Simpson Stout, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Page, from the same committee, to whom was referred a bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10th, 1843, reported the same without amendment.

The said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act approved March 10, 1843, entitled, "an act to amend the

revenue laws," imposing a specific tax of one dollar on each gold watch; of one dollar on each carriage, or barouche, kept as pleasure carriages; of fifty cents on each buggy; of one dollar on each piano; of fifty cents on gold spectacles, and fifty cents on silver lever watches, be and the same is hereby repealed.

Mr. Meriwether moved to amend said bill by adding the following, viz:

That, hereafter, each county of this Commonwealth shall be required to support its own idiots, and all laws requiring the State to provide for the support of idiots, be and the same is hereby repealed.

The Speaker decided the amendment of Mr. Meriwether out of order.

From which decision Mr. Meriwether took an appeal.

The question was then taken, shall the decision of the Chair stand as the judgment of the House? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Meriwether and McHenry, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Fletcher,	Pearl,
Alexander,	Foley,	Phillips,
Alnut,	Gilbert,	Poor,
Armstrong,	Haggard,	Proctor,
Beeler,	Hager,	Purdom,
Bell,	Hall,	Rhea,
Board,	Hanson,	Riddle,
Botts, A. G.	Harrison,	Rouse,
Botts, W. S.	Hay,	Salter,
Bowman,	Hord,	Smith,
Bowmar,	Ireland,	Soery,
Boyd,	Irvine, D.	Spurr,
Bradford,	Johnston,	Stevens,
Brown,	Jones, J. R.	Stewart,
Bush,	Jordan,	Talbutt,
Clarke,	Manfield,	Tandy,
Cobb,	Martin,	Thomas,
Coleman,	Mayhall,	Thompson,
Crawford,	Mays,	Vertress,
Crockett,	McArthur,	Waller,
Covington,	McCallister,	Wheeler,
Devereux,	Mitchell,	White,
Durbin,	Munford,	Wortham,
Elliott, J.	Oglesby,	Wright,
Elliott, M.	Owens,	Young—77.
English,	Page,	

Those who voted in the negative, were—

Messrs. Desha,	Marshall,	Spalding,
Dickerson,	McHenry,	Stevenson,
Glenn,	Meriwether,	Wade,

Graves,
Irvine, J.
Jones, W. L.

Moore,
Morton,
Reed,

Walker,
Williams—17.

Mr. Glenn moved to amend said bill by adding the following, viz:

Be it further enacted, That the several laws requiring owners or keepers of studs, bulls, jacks, &c., to take out license, are hereby repealed.

Mr. McHenry moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Wortham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker.
Messrs. Alexander,
Alnut,
Beeler,
Bell,
Board,
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Clarke,
Cobb,
Coleman,
Crawford,
Crockett,
Desha,
Devereux,
Durbin,
Elliott, J.
Elliott, M.
English,

Evans,
Fletcher,
Foley,
Graves,
Haggard,
Hager,
Hall,
Harrison,
Hay,
Hord,
Ireland,
Irvine, D.
Jordan,
Mansfield,
Marshall,
Martin,
Mays,
McArthur,
McCallister,
McHenry,
Mitchell,
Morton,
Owens,

Pearl,
Phillips,
Poor,
Proctor,
Purdom,
Riddle,
Salter,
Smith,
Spalding,
Spurr,
Stevens,
Stevenson,
Stewart,
Tandy,
Thompson,
Vertress,
Wade,
Walker,
Wheeler,
White,
Williams,
Wortham—68.

Those who voted in the negative, were—

Messrs. Abell,
Armstrong,
Botts, A. G.
Bush,
Dickerson,
Gilbert,
Glenn,
Hanson,
Irvine, J.

Johnston,
Jones, J. R.
Jones, W. L.
Mayhall,
Meriwether,
Moore,
Munford,
Oglesby,
Page,

Reed,
Rhea,
Rouse,
Soery,
Talbutt,
Thomas,
Waller,
Wright,
Young—27.

On motion of Mr. D. Irvine, leave was given to bring in a bill to change the time of holding the Garrard circuit court, and of holding the Madison chancery court.

Ordered, That Messrs. D. Irvine, Salter and Purdom prepare and bring in the same.

On motion of Mr. Haggard,

Resolved, That Dr. David Dale Owen be permitted to deliver a course of lectures on geology in the Representative Hall, at any time during the recess of the House, and that he be permitted to deposit his geological and mineralogical specimens in the east room of the Capital.

And then the House adjourned.

FRIDAY, JANUARY 22, 1847.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act regulating the granting injunctions and attachments.

That they had passed bills from this House of the following titles, viz:

An act to amend the law in relation to Trustees of towns.

An act to amend the acts incorporating the towns of Blauville, in Ballard county, Clarksburgh, in Lewis county, and Hawesville, in Hancock county.

An act for the benefit of James S. Chrisman and wife.

An act to amend the road laws of Clarke county.

An act for the benefit of Morgan Myers and wife.

An act for the benefit of Hugh Lynn Gilkerson.

An act for the benefit of Thomas Woodford.

An act for the benefit of Louisa M. Garesche and others.

An act to change the spring and fall terms of the Warren circuit court.

An act to amend the penal laws.

An act to amend an act to incorporate the Bank Lick Turnpike Road Company.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of the heirs of Isaac Sprake, deceased.

An act for the benefit of Ann Daviess and her children.

An act for the benefit of Nancy Pointer.

An act allowing an additional Justice of the Peace to Henry county.

An act for the benefit of Isham Thomas.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act authorizing the taking of depositions of certain officers of the Lunatic Asylum.

An act to amend the act incorporating the town of Flemingsburg.

An act to regulate the tare on sugar barrels.

An act to amend the patroll law of Clarke county.

An act to amend an act, entitled, an act for the benefit of John Duerson, approved January 31, 1846.

An act to allow an additional constable to Casey county.

An act for the benefit of Parmelia Redman.

An act to change the name of Harry Wicks to that of Harry Ferguson.

An act for the benefit of the jailers of Madison, Anderson, Boyle and Calloway counties.

An act to authorize the surveyor's books of Barren county to be transcribed.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

1. Mr. Reed presented the petition of Joseph Sames, praying to be divorced from his wife, Susan Sames.

2. Mr. Wright presented the petition of James P. Tyler, praying that compensation be allowed him for conveying a Lunatic to the Asylum.

3. Mr. Reed presented the petition of John McKee and others, praying the passage of a law authorizing the sale of certain slaves held by said McKee, in trust, for the use of Anna Maria Crockett.

4. Mr. Spalding presented the petition of sundry citizens of Union county, praying the passage of a law taxing foreign patent medicines.

5. Mr. Riddle presented the petition of William Williams, clerk of the Owsley circuit and county courts, praying the passage of a law directing the Secretary of State to furnish the offices of said courts with the reports of the decisions of the Court of Appeals.

6. Mr. Board presented the petition of Ellen Honeycut, praying to be divorced from her husband, Isham Honeycut.

7. Mr. Dickerson presented the petition of A. F. Shepherd, guardian of Clinton Nash, praying the passage of a law authorizing his ward, who is supposed to be under age, to receive his estate.

8. Mr. White presented the petition of E. W. Murphy and William Sibert, praying that compensation be made them for apprehending a fugitive from justice.

Which were severally received, the reading thereof dispensed with, and referred; the 1st and 6th to the committee on Religion; the 2d and 8th to the committee on Claims; the 3d, 5th and 7th to the committee on the Judiciary, and the 4th to the committee on Ways and Means.

The Speaker laid before the House the response of the President of the Board of Internal Improvement, to the resolution of this House of the 18th instant, which is as follows, viz :

OFFICE OF THE BOARD OF INTERNAL IMPROVEMENT,
January 22, 1847. }

To THE HON. L. COMBS,

Speaker of the House of Representatives.

SIR:

In obedience to a resolution of the House of Representatives of the 18th inst., I have the honor to report :

That the whole amount appropriated *by acts of the Legislature*, for the construction of Locks and Dams on the Licking river, was (\$520,000,) five hundred and twenty thousand dollars, a part only of which sum was furnished to the Board. It will be seen that the contracts for work to be done on that river, were entered into at a date much later than the contracts upon the other lines of navigation. Some of them had to be let and re-let, and the contracts for numbers six and seven, had to be abandoned before much progress had been made. Owing to these causes, the works upon this line had advanced more slowly than upon the other streams, when it was ascertained that the Sinking Fund would not meet the *interest upon additional issues of State bonds*; for the want of which, the works on this navigation had to be *suspended*.

The whole amount of the above appropriation *furnished the Board and applied* to those works, including the cost of removing the rock obstruction in the Ohio river, at the mouth of Licking; the cost of hydraulic lime; of clearing the river banks; the amount of damages upon contracts consequent upon their suspension; of perishable materials, &c., is \$371,837 95. There has been paid to the contractors for the five lower Locks and Dams, \$316,380 09. Deduct from this sum the cost of perishable and lost materials, iron, spikes, &c., which were brought away for the use of the works upon the other rivers, and allowances made to contractors consequent upon the suspension of their contracts, \$29,778 50, and the balance which will *appear to be available* capital in progressing with the works, is \$296,601 50. But the *actual available value* of the investment, at this time, to the progress of the work, if we take into consideration the dilapidation of portions of the preparatory work; the cost of removing the mud and other sediment from about the locks; the reduced prices of labor and provisions, and the advantages of experience, may be set down at but little over one half of the sum last above mentioned, say about \$150,000.

The foregoing is intended as a reply to so much of the resolution as requests the President of the Board to communicate to the House "the amount of money heretofore appropriated for the purpose of locking and damming Licking river, and the amount expended;" but the President is not certain that he rightly understands the object of the question as to "*the amount due.*" If it is intended to elicit an account of the amount yet due and unpaid of the above *appropriation* of \$520,000, the answer is, \$148,163. But if the object is to ascertain what amount is due to the Licking navigation according to the original implied agreement or understanding of the parties concerned, the amount yet due is such sum as may be required to complete the Locks and Dams from the mouth of the river up to the highest point of

practicable slack water navigation—say up to West Liberty; the Kentucky and Green rivers having each a similar claim to an amount sufficient for the completion of the navigation of those streams respectively.

The following reply to the residue of the resolution in detail, will furnish the aggregate amount required, and yet due, to fulfil the obligation of the State to Licking river.

The sum required to finish the five Locks and Dams below Falmouth, and to complete the navigation up to that point, in addition to the present available outlay of \$150,000, may be set down at \$250,000. Add to this sum, for the construction of two Locks and Dams to complete the navigation up to Claysville, \$75,000 each, and we have \$400,000. Add to the sum last above, \$140,000 for two Locks and Dams to complete the navigation up to, and six miles above the Blue Licks, and we have \$540,000. Add to this last sum the amount required to build the twelve Locks and Dams above the Lower Blue Licks, say \$720,000, and we have, for completing the navigation of Licking up to West Liberty, (\$1,240,000,) one million two hundred and forty thousand dollars.

The foregoing estimates are something below the estimates of 1836, made by S. Welch, upon the survey of N. B. Buford, civil engineer. According to his estimate for the construction of 21 Locks and Dams, making 231 miles of navigation, the lift or lockage from the mouth of the river to the head of the upper pool, being 316 feet, the cost, *exclusive* of the cost of certain items hereinafter specified, would be \$1,560,152. By adding the estimated value *at this time*, of the investment, to the estimate of \$1,240,000, we have in all \$1,390,000; which is less than the estimate of Mr. Welch this sum, \$167,152. The items estimated by Mr. Welch, and not included in his estimate above, are as follows:

For hydraulic lime, - - -	\$25,440
For improving channel below No. 1, - -	15,000
For removing rocks above No. 18, - -	5,000
For clearing banks, - - -	46,200
For Lock sites, - - -	5,000
For Lock houses, fixtures, &c., - -	25,200
For damage to mills, - - -	25,000
For contingencies, engineering, &c., - -	119,489
	<hr/>
Add above estimate for construction of Locks and Dams,	\$ 266,329 1,560,152
Sum total according to Mr. Welch, - - -	<hr/> \$1,826,481 <hr/>

From the well known skill and accuracy of S. Welch, late Chief Engineer, it is fair to presume that the estimate made by him was as nearly right, at that time, as could have been made by any one—especially to perform the work upon the plans then contemplated. But labor and materials can now be obtained at cheaper rates, and it is believed that a cheaper plan of construction would now be adopted. It is, therefore, the opinion of the undersigned, that taking his own estimate, (*exclusive of the available investment now in that work*), of \$1,240,000, and by adding thereto for clearing river banks, engineering, and other contingencies, \$160,000, making in all \$1,400,000, we should have a sum sufficient to complete the navigation of

Licking from its mouth to West Liberty; to the value of which may be added the almost incalculable value of the finest water power, in first rate locations, any where to be found.

The undersigned has the honor to be, with profound respect,
THOMAS METCALFE, P. B. I. I.

Ordered, That the Public Printer forthwith print 150 copies of said response for the use of the members of the General Assembly.

A message was received from the Governor, announcing that he had approved and signed enrolled bills and a resolution which originated in this House, of the following titles, viz:

An act to declare Whippoorwill a navigable stream.

An act for the benefit of James Cunningham, of Trigg county.

An act for the benefit of Samuel T. Crews.

An act for the benefit of George F. Catlett, late sheriff of Union county.

An act for the benefit of Robert A. Wright.

An act for the benefit of Benjamin Payne, of the county of Daviess.

An act for the benefit of William Smith, clerk of the Grant circuit and county courts, and William H. Evans, late sheriff of Grant county.

An act to amend the road laws in Pendleton county.

An act for the benefit of Samuel C. Trotter, and others.

An act to compel the trustees of the town of Tompkinsville to keep the streets in order.

An act to authorize the county court of McCracken county to sell or remove the present court house, and for other purposes.

Resolutions in relation to the Board of Internal Improvement, and the extension of slack water on the Kentucky river.

Approved January 20, 1847.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Hager—1. A bill to incorporate the Johnson County Library Company.

On the motion of Mr. Bush—2. A bill for the benefit of Napoleon B. Burks, and Eliza Jane, his wife.

On the motion of Mr. Crockett—3. A bill for the benefit of William Elliott, of Ballard county.

On the motion of Mr. Salter—4. A bill for the benefit of Richard Myers, of Garrard county.

On the motion of Mr. D. Irvine—5. A bill concerning Justice of the Peace.

On the motion of Mr. Harrison—6. A bill to amend the law in relation to summoning guards.

Ordered, That the committee on Education prepare and bring in the 1st; Messrs. Bush, Hanson and Hobbs the 2d; the committee on the Judiciary the 3d and 6th; the committee on Military Affairs the 4th, and Messrs. D. Irvine, Dickerson and Peart the 5th.

Mr. Page, from the committee on Ways and Means, to whom was referred a resolution instructing them to enquire into the expediency of passing a law requiring each county to support its own idiots, asked to be discharged from the further consideration thereof.

Mr. Hanson moved to re-commit said resolution, with instructions to bring in a bill in accordance with said resolution.

Mr. Haggard moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Procter, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker.	Glenn,	Pearl,
Messrs. Abell,	Graves,	Phillips,
Alnut,	Haggard,	Poor,
Armstrong,	Hager,	Proctor,
Beeler,	Hall,	Rhea,
Board,	Harrison,	Riddle,
Botts, W. S.	Hay,	Rouse,
Bowman,	Hord,	Smith,
Bowmar,	Hoy,	Soery,
Boyd,	Ireland,	Spalding,
Brown,	Irvine, D.	Spurr,
Bush,	Johnston,	Stevens,
Clarke,	Jones, J. R.	Stewart,
Cobb,	Jordan,	Talbutt,
Coleman,	Mansfield,	Thompson,
Covington,	Marshall,	Vertrees,
Desha,	Martin,	Walker,
Dickerson,	Mays,	Waller,
Durbin,	McArthur,	White,
Elliott, J.	Mitchell,	Williams,
Elliott, M.	Moore,	Wortham,
Evans,	Morton,	Wright,
Fletcher,	Munford,	Young—71.
Foley,	Owens,	

Those who voted in the negative, were—

Messrs. Alexander,	Hanson,	Oglesby,
Botts, A. G.	Irvine, J.	Page,
Bradford,	Jones, W. L.	Reed,
Crawford,	Mayhall,	Salter,
Crockett,	McCallister,	Tandy,
Devereux,	McHenry,	Thomas,
Gilbert,	Meriwether,	Wade—21.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred a bill to amend an act, entitled, an act to amend the road law of Kenton, reported the same without amendment.

Ordered, That said bill be engrossed, and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Stevenson, from the same committee, to whom was referred the petition of sundry citizens of Nelson county, praying that the contractors on the Bardstown and Green River Turnpike Road may pass free of toll; the petition of S. & F. Vaught; the petition of sundry citizens of Fulton county, praying for the establishment of a State road; the petition of Thomas H. Clay; the petition of sundry citizens of Pulaski county, for the erection of a dam across the south fork of Cumberland river, and the petition of George and Green Richardson; reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Stevenson, from the same committee, asked to be discharged from bringing in a bill concerning the navigation of Goose creek and the south fork of the Kentucky river, which was granted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Dickerson—1. A bill to incorporate the Georgetown and Paris Turnpike Company.

By same—2. A bill to amend and reduce into one all the acts in relation to the town of Georgetown.

By. Mr. Hall—3. A bill to incorporate the Carlisle and Sharpsburgh Turnpike Company.

By the committee on Ways and Means—4. A bill directing the agents of the State, directed and empowered by the Second Auditor, to sell the lands forfeited for the non-payment of tax.

By the committee on Internal Improvement—5. A bill for removing obstructions in Little Sandy river and extend the navigation thereof.

By same—6. A bill for the benefit of Elias P. Davis and others.

By same—7. A bill for the benefit of Wolery Eversole.

By same—8. A bill for the benefit of John Crice.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st and 3d were referred to the committee on Internal Improvement; the 2d to the committee on the Judiciary, and the 4th 5th, 6th, 7th and 8th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 4th, 5th, 6th, 7th and 8th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act authorizing a settlement with the Board of Internal Improvement, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Stevenson, from the same committee, to whom was referred a bill to amend the law regulating the tolls on the Kentucky River Navigation, reported the same with amendments, which were concurred in.

The said bill reads as follows, viz :

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act, all descending flat boats, keel boats, or other craft, which are loaded above the termination of the first ripple, above the upper dam, on the Kentucky, Green and Barren rivers, be permitted to pass the several locks on said rivers free of toll.

SEC. 2. That it shall be the duty of all owners or persons navigating said boats, or other craft, to go before the collector of tolls on the Kentucky, and make proof or affidavit before him that said boats, or craft, were loaded above the first ripples, above the upper dams, on said river ; and said collector shall issue to said owner, or navigator, a permit to pass all the locks on said river free of charge or toll ; said collector is hereby authorized to administer such oath as may be necessary in making the proof or affidavit required by this act.

Mr. English moved to amend said bill by adding the following section, viz :

Be it further enacted, That all flat boats, skiffs, crafts, and floats of every description, except steam boats, hereafter descending the Kentucky, Green or Barren rivers, passing over the dams on said rivers, shall pass free of tolls.

Mr. Hanson moved to amend the amendment by adding the following section, viz :

That no steam Boat shall pay any toll for ascending or descending the Kentucky, Green or Barren rivers, at any time when the water is so high that they might pass without the aid of the locks and dams on said rivers.

Mr. Soery moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stevenson and Bush, were as follows, viz :

Those who voted in the affirmative, were—

Messrs. Alexander,	Johnston,	Proctor,
Board,	Jones, J. R.	Reed,
Botts, A. G.	Jones, W. L.	Rouse,
Bradford,	Marshall,	Smith,
Brown,	McArthur,	Spalding,
Clarke,	McCallister,	Stevens,
Coleman,	McHenry,	Talbutt,
Crockett,	Meriwether,	Thomas,
Desha,	Mitchell,	Vertress,
Durbin,	Morton,	Wade,
Haggard,	Owens,	Williams,
Hanson,	Phillips,	Wright—37.
Harrison,		

Those who voted in the negative, were—

Mr. Speaker,	Glenn,	Page,
Messrs. Abell,	Graves,	Pearl,
Alnut,	Hager,	Poor,
Beeler,	Hay,	Rhea,
Botts, W. S.	Hord,	Riddle,
Bowman,	Hoy,	Salter,
Bowmar,	Ireland,	Soery,
Bush,	Irvine, D.	Spurr,
Cobb,	Irvine, J.	Stevenson,
Covington,	Jordan,	Stewart,
Devereux,	Mansfield,	Tandy,
Elliott, J.	Martin,	Thompson,
Elliott, M.	Mayhall,	Walker,
English,	Mays,	Waller,
Fletcher,	Moore,	White,
Foley,	Munford,	Wortham,
Gilbert,	Ogelsby,	Young—51.

At half past two o'clock, P. M., Mr. Alexander moved an adjournment.

And the question being taken thereon, it was decided in the affirmative

The yeas and nays being required thereon by Messrs. Morton and Haggard, were as follows, viz :

Those who voted in the affirmative, were—

Messrs. Abell,	Hay,	Page,
Alexander,	Hord,	Poor,
Beeler,	Hoy,	Rhea,
Board,	Ireland,	Rouse,
Botts, A. G.	Irvine, D.	Smith,
Bowman,	Johnston,	Soery,
Brown,	Jones, W. L.	Spalding,
Bush,	Jordan,	Spurr,
Clarke,	Mansfield,	Stevens,
Coleman,	Marshall,	Stevenson,
Covington,	Martin,	Stewart,

Devereux,
Elliott, J.
Fletcher,
Gilbert,
Glenn,
Graves,
Hanson,
Harrison,

Mayhall,
Mays,
McArthur,
McCallister,
Mitchell,
Moore,
Oglesby,

Talbutt,
Tandy,
Thomas,
Thompson,
Wade,
Walker,
Wortham—55.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alnut,
Armstrong,
Botts, W. S.
Bowmar,
Boyd,
Bradford,
Cobb,
Crockett,
Desha,
Durbin,
Elliott, M.

English,
Foley,
Haggard,
Hager,
Irvine, J.
Jones, J. R.
McHenry,
Meriwether,
Morton,
Munford,
Owens,

Pearl,
Phillips,
Procter,
Reed,
Riddle,
Vertress,
Waller, .
White,
Williams,
Wright,
Young.—34.

SATURDAY, JANUARY 23, 1847.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act to provide for running and marking the dividing line between the counties of Campbell and Pendleton.

An act for the benefit of the heirs of David Mize, deceased.

An act for the benefit of the sheriff and late clerk of the county of Clay.

An act to authorize the chancellor of the Louisville chancery court to sign law license.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of James Miller, of Adair county.

An act to incorporate the Springfield Lodge, and the Washington Royal Arch Chapter.

An act to amend the law in relation to binding out poor children in this Commonwealth.

An act for the benefit of Silas M. Perry and others.

An act to add an additional term to the Mason, Adair and Fleming circuit courts.

An act for the benefit of Thomas Merimee and Prudence Shadburn.

An act to amend the law in relation to summoning guards.

An act for the benefit of James P. Tyler, of Fulton county.

That they had received official information from the Governor, announcing that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Moses Scott Rice, surveyor of Boone county.

An act for the benefit of John Jones and others.

An act authorizing the sale of the parsonage house in the town of Elkton.

An act authorizing a chancery term of the Nicholas circuit court.

An act to amend an act concerning the town of Albany, in Clinton county, approved February 14th, 1846.

An act for the benefit of Edward Graves, coroner of Boone county, and for other purposes.

An act to amend the charter of the Paducah Marine Railways, and for other purposes.

An act for the benefit of the mechanics of the town of Louisa.

An act to authorize Henry S. Mitchell to lay off a town in Allen county, and for other purposes.

An act for the benefit of Jacob Mayo, late clerk of the Floyd county and circuit courts.

An act to amend an act, entitled, an act to incorporate the Lawrence County Coal Mining Company.

An act authorizing the sale of the jail in the town of Hopkinsville.

An act to incorporate the Kentucky Military Institute.

Approved January 20, 1847.

An act to change the name of Nancy Young Moore to that of Nancy Young Mitchusson.

An act to enlarge a constable's district in Clarke county.

Approved January 21, 1847.

1. Mr. Ireland presented the petition of the Sheriff of Grant county, praying that further time be allowed him to return his delinquent list of muster fines.

2. Mr. W. S. Botts presented the petition of sundry citizens of Fleming county, praying an amendment to the laws in relation to the granting of tavern licenses.

3. Mr. Page presented the petition of Levi Tyler and Samuel Forwood, praying an amendment to the charters of the Louisville Turnpike Road Company, and the Shepherdsville and Louisville Turnpike company.

4. Meriwether presented the petition of J. C. Buckles, praying the incorporation of a steam boat company from Louisville to Pittsburg.

5. Mr. Morton presented the petition of sundry citizens of the town of Madisonville, praying an amendment to the laws in relation to said town.

6. Mr. Wright presented the petition of sundry citizens of Fulton county, praying for a repeal of an act declaring Bayou de Chein a navigable stream.

7. Mr. Wade presented the petition of Matilda A. Simmons, executrix of William W. Simmons, deceased, praying the passage of a law authorizing a sale of certain real estate of said deceased.

8. Mr. Crockett presented the remonstrance of sundry citizens of Ballard county, against the removal of the seat of justice of Hickman county.

9. Mr. Crockett presented the petition of James and Elizabeth Armstrong, praying to be divorced from each other.

10. Also, the petition of David Menser, praying to be divorced from his wife, Sarah Menser.

11. Mr. Hanson presented the petition of Daniel P. Bedinger, praying for a repeal of the act to amend the law which provides for condemning lands for public purposes.

12. Mr. Munford presented the petition of sundry citizens of the town of Glasgow, praying an extension of the limits of said town.

13. Mr. Evans presented the petition of Charlton Brown, &c., praying the passage of a law allowing further time to a school district in Greenup county, to make return to the Superintendent of Public Instruction.

14. Mr. Marshall presented the petition of George W. Jones, and others, heirs of William Kelly, deceased, praying the passage of an act authorizing those of said heirs, who are under age, to convey certain lands devised to them.

15. Mr. Meriwether presented the petition of sundry ladies of the town of Bloomfield, in Nelson county, praying the passage of a law forbidding the sale of ardent spirits in said town, and for three miles round the same.

Which were received, the reading thereof dispensed with, (except the 15th which was read,) and referred; the 1st to the committee on Military Affairs; the 2d, 4th, 5th, 7th, 12th, 14th and 15th to the committee on the Judiciary; the 3d, 6th and 11th to the committee on Internal Improvement; the 8th to the committee on Propositions and Grievances; the 9th and 10th to the committee on Religion, and the 13th to the committee on Education.

The Speaker laid before the House the annual report of the Board of Visitors of the Kentucky Institution for the Education of the Blind, which is as follows, viz:

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 500 copies of said report for the use of said Institution.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the infant heirs of William McKittrick, deceased.

An act for the benefit of John McAfee, of Mercer county.

An act for the benefit of the children of Dr. W. D. S. Taylor.

An act for the benefit of John W. Hughes, Nancy N. Hughes and Henry Hughes, of Hancock county.

An act to amend an act, entitled, an act for the benefit of the Grand and Subordinate Lodges of the Independent Order of Odd Fellows, and for the benefit of Washington Lodge, No. 3, in the city of Covington, approved January 24, 1846.

An act for the benefit of Isaac Ayres.

An act for the benefit of the heirs of Mabry T. Cox.

An act for the benefit of Joseph Crow, of Allen county.

An act for the benefit of Nathaniel S. Robertson.

An act for the benefit of John Hoy, of Simpson county.

An act for the benefit of William Wadlington, of Caldwell county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

On motion of Mr. Covington,

Ordered, That Messrs. Crockett and Armstrong be added to the committee to investigate the charges against Cain A. McCaughan, surveyor of Trigg county.

On motion of Mr. Alexander, leave was given to bring in a bill to allow an additional Justice of the Peace to Meade county.

Ordered, That Messrs. Alexander, Page, Vertress and Devereux prepare and bring in the same.

On motion of Mr. Desha, leave of absence until Monday next was granted to Mr. Bell.

On motion of Mr. Haggard, leave of absence until Tuesday next was granted to Mr. Alnut.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Alnut—1. A bill for the benefit of the coroner and surveyor of Owen county.

By Mr. Wheeler—2. A bill for the benefit of Charles W. Dean.

By Mr. D. Irvine—3. A bill to change the time of holding the Garrard and Boyle circuit courts, and the Madison chancery court.

By Mr. Williams—4. A bill to amend the law in civil proceedings.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st, 2d and 3d were severally ordered to be engrossed and read a third time, and the 4th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d and 3d bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Meriwether moved a re-consideration of the vote laying on the table a bill to prevent the sale of spirituous liquors in Bloomfield.

The said bill reads as follows, viz:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall not be lawful for any person living in the town of Bloomfield, or within three miles thereof, to whom license to keep a tavern may hereafter be granted, to sell by retail, any spirituous liquors, wines or other intoxicating drink.

SEC. 2. Be it further enacted, That hereafter it shall not be lawful for the county court of Nelson county to license any person within the limits aforesaid, to sell by retail any spirituous liquors, wines, or other intoxicating drink; and all tavern license bonds, given by persons living within said limits, shall contain a stipulation inhibiting the sale of such articles.

SEC. 3. Be it further enacted, That it shall not be lawful for any merchant, or manufacturer of any spirituous liquor, or any other person, to sell by retail, or in less quantity at a time than one gallon, any spirituous liquor, wine, or other intoxicating drinks, within the limits aforesaid; and any person violating this act shall be subject to a penalty of ten dollars for every violation.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Soery, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Foley,	Meriwether,
Messrs. Alexander,	Gilbert,	Page,
Armstrong,	Haggard,	Procter,
Beeler,	Irvine, J.	Rhea,
Bradford,	Jones, J. R.	Rouse,
Brown,	Jones, W. L.	Smith,
Crawford,	Jordan,	Stewart,
Crockett,	Mayhall,	Thomas,
Covington,	Mays,	Waller,
Desha,	McHenry,	Wortham—30,

Those who voted in the negative, were—

Messrs. Abell,	Hanson,	Phillips,
Alnut,	Harrison,	Poor,
Board,	Hay,	Purdum,

Botts, A. G.
 Botts, W. S.
 Bowman,
 Bowmar,
 Boyd,
 Clarke,
 Cobb,
 Coleman,
 Devereux,
 Durbin,
 Elliott, J.
 Elliott, M.
 English,
 Evans,
 Fletcher,
 Glenn,
 Graves,
 Hager,

Hord,
 Hoy,
 Ireland,
 Irvine, D.
 Johnston,
 Mansfield,
 Marshall,
 Martin,
 McArthur,
 McCallister,
 Mitchell,
 Moore,
 Morton,
 Munford,
 Oglesby,
 Owens,
 Pearl,

Reed,
 Riddle,
 Salter,
 Soery,
 Spalding,
 Stevens,
 Stevenson,
 Talbutt,
 Tandy,
 Thompson,
 Vertress,
 Wade,
 Walker,
 Wheeler,
 White,
 Williams,
 Wright—61.

Mr. Williams, from the committee to whom was referred the bill to increase the jurisdiction of Justices of the Peace, reported the same with an amendment as a substitute for said bill, which was concurred in.

The said bill, as amended, reads as follows, viz :

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That Justices of the Peace of this Commonwealth shall have exclusive original jurisdiction of all sums not exceeding one hundred dollars, founded upon contract either express or implied ; and they shall, in the preparation and trial of said suits, be governed by the laws now in force regulating trials before Justices of the Peace.

SEC. 2. That, hereafter, whenever execution shall issue upon a judgment rendered by a Justice of the Peace, and shall be returned by the proper officer, no property found out of which the amount of said execution can be made, or where a part thereof is made and returned no property found out of which the residue can be made, it shall and may be lawful for the plaintiff, or plaintiffs, or defendant, or defendants, who is entitled to the benefit of said judgment to procure a copy of the record from the Justice who rendered the judgment, or the Justice who at the time may have the record in his possession, and file the same with the clerk of the circuit court of the county where the judgment was rendered ; who shall, thereupon, at the request of the party entitled to it, issue an execution as though the judgment had been rendered in the circuit court, and the sheriff shall, in the discharge of his duty, be governed in every respect by the laws now in force prescribing the duties of sheriffs in the collection of debts.

SEC. 3. That either party shall be entitled to an appeal from the judgment of the Justice under the same rules and regulations, and to be governed in all respects by the law now in force, allowing appeals from the judgment of the Justices of the Peace to the circuit courts.

Mr. Procter moved to lay said bill, as amended, on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Williams and Johnston, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,	Foley,	Procter,
Armstrong,	Haggard,	Reed,
Botts, A. G.	Hanson,	Riddle,
Botts, W. S.	Hay,	Stevenson,
Bowman,	Ireland,	Thomas,
Brown,	Irvine, D.	Thompson,
Crockett,	Jones, W. L.	Wade,
Deshu,	Manfield,	Walker,
Devereux,	Marshall,	Waller,
Durbin,	McHenry,	White,
Elliott, J.	Mitchell,	Wortham—34.
English,		

Those who voted in the negative, were—

Messrs. Abell,	Hord,	Pearl,
Alexander,	Hoy,	Phillips,
Beeler,	Irvine, J.	Poor,
Board,	Johnston,	Purdom,
Bowmar,	Jones, J. R.	Rhea,
Boyd,	Jordan,	Rouse,
Bradford,	Martin,	Salter,
Clarke,	Mayhall,	Smith,
Cobb,	Mays,	Soery,
Coleman,	McArthur,	Spalding,
Crawford,	McCallister,	Stevens,
Covington,	Meriwether,	Stewart,
Elliott, M.	Moore,	Talbutt,
Evans,	Morton,	Tandy,
Fletcher,	Munford,	Vertress,
Gilbert,	Oglesby,	Wheeler,
Glenn,	Owens,	Williams,
Graves,	Page,	Wright—55.
Harrison,		

Mr. Glenn moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill be engrossed and read a third time? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Williams and Glenn, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Hoy,	Pearl,
Alexander,	Irvine, J.	Phillips,
Beeler,	Johnston,	Poor,

Board,
Bowmar,
Boyd,
Bradford,
Clarke,
Cobb,
Coleman,
Covington,
Elliott, M.
Gilbert,
Glenn,
Graves,
Harrison,
Hord,

Jones, J. R.
Jordan,
Martin,
Mayhall,
Mays,
McArthur,
McCallister,
Meriwether,
Moore,
Morton,
Munford,
Oglesby,
Owens,
Page,

Rhea,
Rouse,
Salter,
Smith,
Soery,
Spalding,
Stevens,
Stewart,
Talbutt,
Tandy,
Vertress,
Wheeler,
Williams—50.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alnut,
Armstrong,
Botts, A. G.
Botts, W. S.
Bowman,
Brown,
Crawford,
Crockett,
Desha,
Devereux,
Durbin,
Elliott, J.
English,

Evans,
Fletcher,
Foley,
Haggard,
Hager,
Hanson,
Hay,
Ireland,
Irvine, D.
Jones, W. L.
Mansfield,
Marshall,
McHenry,
Mitchell,

Procter,
Purdom,
Reed,
Riddle,
Stevenson,
Thomas,
Thompson,
Wade,
Walker,
Waller,
White,
Wortham,
Wright—41.

Mr. Page moved to commit said bill to the committee on the Judiciary, with instructions to strike out the first and third sections, and report the bill thus corrected to the House.

Mr. Salter moved the previous question.

The question was then taken, shall the bill be committed to the committee on the Judiciary with said instructions? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Johnston, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alnut,
Armstrong,
Botts, A. G.
Botts, W. S.
Bowman,
Brown,
Crawford,
Crockett,

Haggard,
Hager,
Hanson,
Hay,
Ireland,
Irvine, D.
Jones, W. L.
Mansfield,
Marshall,

Page,
Phillips,
Procter
Reed,
Riddle,
Stevens,
Stevenson,
Thomas,
Thompson,

Devereux,
Elliott, J.
English,
Fletcher,
Foley,
Gilbert,

Mays,
McHenry,
Mitchell,
Munford,
Oglesby,
Owens,

Wade,
Walker,
Waller,
White,
Wortham—44.

Those who voted in the negative, were—

Messrs. Abell,
Alexander,
Beeler,
Board,
Bowmar,
Boyd,
Bradford,
Clarke,
Cobb,
Covington,
Durbin,
Elliott, M.
Evans,
Glenn,
Graves,

Harrison,
Hord,
Hoy,
Irvine, J.
Johnston,
Jones, J. R.
Jordan,
Martin,
Mayhall,
McArthur,
McCallister,
Meriwether,
Moore,
Morton,
Pearl,

Poor,
Rhea,
Rouse,
Salter,
Smith,
Soery,
Spalding,
Stewart,
Talbutt,
Tandy,
Vertress,
Wheeler,
Williams,
Wright—44.

Ordered, That said bill be referred to Messrs. Williams, Meriwether, Board, Graves and Alexander.

And then the House adjourned.

MONDAY, JANUARY 25, 1847.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act authorizing a settlement with the Board of Internal Improvement.

That they had passed bills from this House, of the following titles, viz:

An act to change the place of voting at an election precinct in Hopkins county.

An act for the benefit of George W. Cox.

An act to amend an act, entitled, an act for the benefit of the Trustees of the town of Bowlinggreen.

With an amendment to the last named bill.

That they had concurred in the resolutions from this House, for presenting the widow of the late Philip Norbourn Barbour with a sword, and for the interment of his remains in the Frankfort Cemetery, with amendments.

That they had passed bills of the following titles, viz :

An act regulating the sales of forfeited lands, and applying the statute of limitation in certain cases.

An act to legalize the proceedings of the Henderson county court, held 4th Monday in June, 1846.

An act for the benefit of the heirs of John Frazier, deceased.

An act to incorporate the town of Harrisonville, in Shelby county.

An act for the benefit of the heirs of S. H. Anderson, deceased.

An act for the benefit of William P. Mitchell.

An act giving additional powers to the Trustees of the town of Princeton, in Caldwell county, and for other purposes.

An act to regulate the number of Justices of the Peace in the town of Greensburgh.

An act to change the place of voting from Seaton Lee's, in Pulaski county, and for other purposes.

An act to incorporate the Trustees of the Presbyterian Church, in Frankfort.

An act making an appropriation for having the remains of the late Philip Norbourn Barbour brought to Kentucky for interment.

1. Mr. Haggard presented the petition of sundry citizens of Green county, praying a division of said county, by the formation of a new county out of part thereof.

2. Mr. Johnston presented the petition of sundry citizens, praying the establishment of a State warehouse and inspection of tobacco.

3. Mr. Hager presented the petition of sundry citizens of Floyd county, praying to be added to the county of Pike.

4. Mr. Durbin presented the petition of Thomas J. Miller, praying the passage of a law establishing a road from his residence to the Falmouth road, in Harrison county.

5. Mr. Johnson presented the petition of Phebe T. Wilkerson, praying to be divorced from her husband, H. H. W. Wilkerson.

6. Mr. W. L. Jones presented the petition of John Churchill, jailer of Shelby county, praying the passage of a law authorizing the confinement of persons committed in Shelby, to be confined in the jail of some other county, the jail of said county having been destroyed by fire.

7. Mr. Tandy presented the petition of sundry citizens of Carroll county, praying the passage of a law limiting elections in said county, to one day.

8. Mr. Desha presented the remonstrance of sundry citizens of Harrison county, against the removal of the Leesburgh precinct.

9. Mr. Wortham presented the petition of sundry citizens of Hart county, praying the establishment of an election precinct in said county.

10. Mr. Johnston presented the petition of David Bowerman, praying to be divorced from his wife, Elizabeth Bowerman.

11. Mr. Cobb presented the petition of James Renfro, praying to be released from part of his bond, as gate keeper on the Wilderness road.

12. Mr. Johnston presented the petition of T. W. Pitt, praying the passage of a law permitting him to keep a coffee house in the town of Murray, without license.

13. Mr. Pearl presented the petition of Stephen Carpenter, praying to be divorced from his wife, Nancy Carpenter.

14. Mr. Desha presented the petition of W. J. Perrin, praying the passage of a law changing the name of Noah Sowders, to that of Noah Humble.

15. Mr. Coleman presented the petition of G. B. Dyers, praying the passage of a law establishing a town on his land.

16. Mr. Page presented the petition of G. W. Weisinger and others, praying an amendment of the charter of the Mercantile Library Company.

17. Also, the petition of the druggists of the city of Louisville, praying the passage of a law exempting them from serving on juries.

18. Mr. A. G. Botts presented the petition of William T. Samuels, praying the passage of a law authorizing him to accept, and hold the office of county and circuit court clerk, as though he were twenty one years of age.

19. Mr. Meriwether presented the petition of Thomas M. Smith, praying an amendment to the act passed at the last session for the benefit of John Duerson.

Which were severally received, the reading thereof dispensed with, and referred; the 1st, 3d, 4th and 15th to the committee on Propositions and Grievances; the 2d to Messrs. Crockett, Young, Waller, Mansfield, Spalding, Haggard, Johnston, Soery and Board; the 5th, 10th and 13th to the committee on Religion; the 6th, 14th, 16th, 17th and 18th to the committee on the Judiciary; the 7th, 8th and 9th to the committee on Privileges and Elections; the 11th to Messrs. Cobb, Pearl, White and Haggard, and the 12th and 19th to the committee on Ways and Means.

Mr. Covington asked leave to withdraw the petition of Nancy McCown and the petition of James Jenkins, which was granted, and the petitions were withdrawn.

Mr. Waller, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act for the benefit of State Historical Societies in the United States, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Waller, from the same committee, to whom was referred a bill providing for the support of an additional number of pupils in the Deaf and Dumb Asylum, at Danville, reported the same without amendment.

Ordered, That said bill be engrossed, and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Desha, from the committee on Military Affairs, to whom was referred a bill to alter the manner of mustering in Lewis county, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Desha, from the same committee, to whom was referred a bill from the Senate, entitled, an act to incorporate the Flemingsburg Fire Engine and Hose Company, reported the same with amendments.

And the question being taken on concurring in said amendments, it was decided in the negative.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Desha, from the same committee, made the following report, viz :

The committee on Military Affairs, who were instructed by a resolution of this House, "to ascertain and report the number, kind, and state of the public arms now in the State Arsenal at Frankfort," report:

That upon examination we find it impossible to count and handle each piece, in order to make a detailed report of their number and condition, without the labor of several days. For the number, class, and description, the value in muskets at the government price, &c., the House is referred to a statement, in detail, made by the Quarter Master General, at the request of the committee, and which accompanies this report.

We found all the small arms received by the State from the General Government, and which have not been loaned out to Independent companies, carefully boxed, and those which we inspected, (some several boxes,) in a good condition, as was also the case with most of those inspected by us, which have been loaned out, and renewed since their return. There are several hundred stand, (the exact number we did not ascertain,) which we were informed by the Quarter Master General, had been recently returned

to the Arsenal, in a very bad condition, many of which we consider almost, if not entirely useless.

The committee would further state, that whilst in the discharge of our duty under said resolution, we were attended by the Quarter Master General, who very cheerfully aided the committee, and manifested every disposition to aid them in their examination.

LUCIUS DESHA, *Ch. Com. M. A.*

Statement of Public Arms, &c., in the State Arsenal, on the first day of January, 1847.

TOTAL AND KIND.	Valuation in Muskets.	New and good.	Renewed.	Unfit for service and valueless.	Value in dollars.
5,198 Muskets and Bayonets, - -	5,198	2,900	1,500	798	\$ 67,564 00
3,754 Sets of Infantry accoutrements, -	863	3,754	-	-	11,262 08
1,216 Cartridge Boxes and Belts, (W.) -	159	-	-	1,216	2,067 00
1,144 Bayonet Scabbards and Belts, (W.)	105	-	-	1,144	1,372 00
RIFLE.					
190 Carbinés, - - - -	263	190	-	-	3,420 00
190 Hall's patent Rifles, - - -	263	190	-	-	3,420 00
930 Yaugers or Rifles, - - -	1,144	600	200	130	14,880 00
339 Sets of accoutrements, - - -	104	339	200	-	1,360 00
847 Flasks, (½ W.) - - - -	65	-	-	-	847 00
798 Pouches and Belts, (½ W.) -	92	-	-	-	1,200 00
CAVALRY.					
1,117 Sabres and Scabbards, - - -	515	250	-	-	6,702 00
1,178 Pair of Horseman's Pistols, -	607	525	-	-	7,895 00
786 Pair Holsters, (½ W.) motheaten covers, - - - -	181	-	-	393	2,358 00
726 Sabre Belts, (½ W.) - - - -	67	-	-	363	870 00
697 Cartridge Boxes, (½ W.) - - -	36	-	-	348	487 00
332 Sets of accoutrements, - - -	127	332	-	-	1,660 00
ARTILLERY.					
2 Bronze 6 pounder Cannons, stock, trail carriage and implements complete, - - - -	100	2	-	-	1,300 00
2 Iron 6 pounders, do. do. - - -	75	2	-	-	975 00
3 Iron 6 pounders, do. incomplete, -	90	3	-	-	1,170 00
1 Caisson, (or ammunition wagon,) -	10	-	1	-	130 00
1 Brass 4 pounder Cannon, do. and implements, incomplete, the old Thames piece, - - - -	30	-	1	-	390 00
191 Artillery Swords, Scabbards and Belts, - - - -	88	191	-	-	1,148 00
Equal to Muskets, - - - -	10,085				\$132,475 00
Deduct as unfit for service, - - -	2,085				27,105 00
In Muskets, - - - -	8,000				\$105,370 00

L. DESHA, Esq. *Chairman*

Military Committee, House of Representatives.

SIR :

Agreeably to your request, I hand you a statement of the *kind, number and value*, in muskets and dollars, of the military stores, &c., in the State Arsenal on the 1st inst., showing the extreme value in muskets to be 10,085, and in dollars \$132,475; this is upon the supposition that all are fit for service; but have deducted 2,085 muskets, equal to \$27,105, as being a reasonable estimate of those on hand "unfit for service," many of which are destitute of value. It is probably necessary for me to say, that in keeping the accounts, I have not kept the separate "*order*" of the arms and accoutrements, of *good, bad and worthless*, but are all counted in the gross sum of each. I have used the W. in parenthesis, to indicate those considered worthless, and are thus stated upon the estimate. The labor of this office is very great, compared with the compensation, and will not justify that devoted attention, labor and watchfulness necessary to keep its wide spread business in that order which it deserves, rendered the more difficult, in consequence of the want of punctuality and attention on the part of the field officers, who cannot be induced to make their reports, except to a very limited extent.

I have the honor to be,

Most respectfully, your obedient servant,

A. W. DUDLEY, Q. M. G.

JANUARY 16, 1847.

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred a bill to incorporate the Licking and Lexington Railroad Company, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

Mr. Stevenson moved that said bill have its third reading on this day.

And the question being taken thereon, it was decided in the affirmative.

The said bill was then read a third time.

On motion of Mr. McHenry,

Ordered, That said bill be referred to a committee of the whole House, and made the special order of the day for Tuesday, the 2d February, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. Haggard, from the committee on Agriculture and Manufactures to whom was referred a bill to further protect the interest of wool growers, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Haggard, from the same committee, moved the following resolution, viz:

Resolved, That five thousand copies of the memorial from the Kentucky Historical Society, in relation to a geological survey of Kentucky, be printed for the use of this House.

Which was adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Education—1. A bill to incorporate the Covington Collegiate Institute.

By the committee on Military Affairs—2. A bill for the benefit of James McKenzie and others.

By same—3. A bill for the benefit of James M. McMillen.

By same—4. A bill to amend the militia law.

By the committee on Internal Improvement—5. A bill for the benefit of Fielding McDuffie.

By same—6. A bill for the benefit of Uriah Pool.

By same—7. A bill to incorporate a company to construct a turnpike road from Burlington to Florence, in Boone county.

By Mr. Evans—8. A bill to amend an act, entitled, an act to incorporate the town of Greenupsburg, in Greenup county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, (except the 4th;) the 1st, 2d, 3d, 5th, 6th, and 7th were severally ordered to be engrossed and read a third time, and the 8th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 5th, 6th and 7th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House then resolved itself into a committee of the whole, on the bill to reduce the salaries of Circuit Judges and other officers of this Commonwealth; Mr. Brown in the Chair; and after some time spent therein the Speaker resumed the Chair, when Mr. Brown reported that the committee had, according to order, had under consideration the bill aforesaid, and had adopted sundry amendments thereto, which he handed in at the Clerk's table.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act, the various officers of this Commonwealth hereinafter mentioned, shall be paid out of the public Treasury the following salaries, annually, viz: The Circuit Judges of this

Commonwealth the sum of one thousand dollars each, *except the Judge of the fifth Judicial District who shall have twelve hundred and fifty dollars*; to the Chancellor of the city of Louisville, fifteen hundred dollars; Judges of the Court of Appeals, fifteen hundred dollars each; the Auditor of Public Accounts, seven hundred and fifty dollars; to the Second Auditor of Public Accounts, fifteen hundred dollars; to the Treasurer, twelve hundred dollars; to the same for keeping State House, fifty dollars; to the Secretary of State, seven hundred dollars; to the Register of the Land Office, one thousand dollars; to the principal clerk in said office, five hundred dollars; to the Librarian, two hundred dollars; to the clerk in the Secretary's Office, five hundred dollars; to the President of the Board of Internal Improvement, seven hundred dollars; to the Attorney General, two hundred and fifty dollars; to the Quarter Master General, one hundred and fifty dollars; Attorneys for the Commonwealth, two hundred and fifty dollars.

Sec. 2. That the several officers named in the first section of this act, shall be paid their annual salaries quarterly, as provided by the law now in force.

The first amendment proposed by the committee of the whole was to amend the first section by striking out that part printed in italics; the second amendment proposed by said committee, was to strike from the Register of the Land Office "one thousand dollars" and insert "seven hundred dollars," and the third amendment proposed by said committee, was to increase the salary of the principal clerk of the Register's Office from "five hundred dollars" to "seven hundred dollars."

Mr. Armstrong moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wortham and Pearl, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hay,	McHenry,
Alexander,	Hord,	Meriwether,
Armstrong,	Irvine, D.	Mitchell,
Botts, A. G.	Irvine, J.	Page,
Crockett,	Jones, W. L.	Reed,
Devereux,	Marshall,	Talbutt,
Dickerson,	Martin,	Thomas,
Gilbert,	Mayhall,	Waller,
Hanson,	McCallister,	Wright—27.

Those who voted in the negative, were—

Messrs. Abell,	Glenn,	Poor,
Beeler,	Graves,	Procter,
Bell,	Haggard,	Purdom,
Board,	Hager,	Rhea,
Botts, W. S.	Harrison,	Riddle,
Bowman,	Hoy,	Rouse,
Boyd,	Ireland,	Smith,

Brown,
Clarke,
Cobb,
Coleman,
Crawford,
Covington,
Desha,
Durbin,
Elliott, J.
Elliott, M.
English,
Evans,
Foley,

Johnston,
Jones, J. R.
Jordan,
Mansfield,
Mays,
McArthur,
Moore,
Morton,
Munford,
Oglesby,
Owens,
Pearl,
Phillips,

Soery,
Spalding,
Stevens,
Stewart,
Tandy,
Towles,
Vertress,
Wade,
Walker,
Wheeler,
White,
Williams,
Wortham—60.

The first and second amendments proposed by the committee were then concurred in, and the third was disagreed to.

Ordered, That said bill be engrossed and read a third time.

Mr. Glenn moved that said bill have its third reading now.

And the question being taken thereon, it was decided in the affirmative.

The said bill was then read a third time.

On motion of Mr. Pearl,

Ordered, That said bill be referred to a select committee, with instructions to report the same to the House on Friday next at 12 o'clock.

Whereupon, Messrs. Pearl, Haggard, Williams, Wortham, Desha and Evans were appointed said committee.

Mr. Marshall presented the petition of John Morris, praying to be added to the county of Henry, which was received, the reading thereof dispensed with, and referred to the committee on Propositions and Grievances.

And then the House adjourned.

TUESDAY, JANUARY 26, 1847.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act for the benefit of Crittenden county court.

That they had passed bills of the following titles, viz:

An act to establish a road from Rochester, at the mouth of Muddy river, to Russellville.

An act to divorce John S. Petty.

1. Mr. Meriwether presented the petition of A. P. Churchill and others, praying to be released from a bond given by them for the safe keeping and return of public arms.

2. Mr. Hager presented the petition of sundry citizens of the town of Pikeville, praying that said town be incorporated.

3. Mr. Page presented the petition of J. R. Walker, praying a repeal of the act passed in 1846, for the benefit of John Duerson.

4. Also, the petition of the Mayor and Council of the city of Louisville, praying an increase of the powers of the City Collector.

5. Mr. W. S. Botts presented the petition of sundry citizens of Fleming county, praying the removal of the place of voting in an election precinct in said county.

6. Mr. J. Elliott presented the petition of Elizabeth Ratliff, praying that an appropriation be made for the support of her idiot son.

7. Mr. M. Elliott presented the petition of sundry citizens of Pulaski county, praying that an additional constable be allowed to said county.

8. Also, the petition of sundry citizens of the town of Somerset, praying the passage of a law authorizing the sale of part of the public ground belonging to said town.

9. Mr. Graves presented the petition of sundry citizens of Marion county, praying an appropriation for the improvement of the navigation of the Rolling fork of Salt river.

Which were severally received, the reading thereof dispensed with, and referred; the 1st to the committee on Military Affairs; the 2d, 4th, 7th, 8th and 9th to the committee on the Judiciary; the 3d to the committee on Ways and Means; the 5th to the committee on Privileges and Elections, and the 6th to the committee on Propositions and Grievances.

On motion of Mr. Hager, leave was given to bring in a bill to incorporate the town of Paintsville, in Johnson county.

Ordered, That the committee on the Judiciary prepare and bring in the same.

A message was received from the Governor, by Mr. Kinkead, Secretary of State, announcing that he had approved and signed enrolled bills and a resolution which originated in this House, of the following titles, viz:

An act to amend the patroll law of Clarke county.

An act to regulate the tare on sugar barrels.

An act to amend an act, entitled, an act for the benefit of John Duerson.

An act to allow an additional constable to Cassy county.

An act for the benefit of Parmelia Redman.

An act to change the name of Harry Wicks to that of Harry Ferguson.

An act for the benefit of the jailers of Madison, Anderson, Boyle and Calloway counties.

An act to authorize the surveyor's books of Barren county to be transcribed.

An act authorizing the taking of depositions of certain officers of the Lunatic Asylum.

An act to amend an act incorporating the town of Flemingsburg.

Approved January 22, 1847.

A resolution fixing a day for the election of a Senator in Congress.

Approved January 26, 1847.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Hobbs—1. A bill to amend the charter of the turnpike road leading from the city of Louisville, by the mouth of Salt river and Elizabethtown, to the State line, and for other purposes.

By Mr. Johnson—2. A bill to extend the constable's district around the town of Murray, in Calloway county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hobbs, from the committee on the Sinking Fund, to whom was referred a bill from the Senate, entitled, an act to amend an act, entitled, an act for the benefit of David A. Sayre, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Alexander, from the committee to whom was referred the bill to increase the jurisdiction of Justices of the Peace, reported the same with an amendment as a substitute for said bill, which was concurred in.

The said bill, as amended, reads as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That, hereafter, Justices of the Peace of this Commonwealth shall have concurrent jurisdiction of all sums not exceeding one hundred dollars, in actions of debt and assumpsit; and they shall, in the preparation and trial of said suits, be governed by the laws now in force regulating trials before Justices of the Peace: *Provided*, that the foregoing provisions of this act shall not be so construed as to give the circuit courts any jurisdiction in sums under fifty dollars.

Sec. 2. Be it further enacted, That, hereafter, whenever an execution shall issue upon a judgment rendered by a Justice of the Peace, and shall be returned by the proper officer no property found out of which the amount

of said execution can be made, or where a part thereof is made, and returned no property found out of which the residue can be made, it shall and may be lawful for the plaintiff, or plaintiffs, or defendant, or defendants, his, her, or their agent, or agents, or whoever may be entitled to the benefit of said judgment, to procure a copy of the record from the Justice who rendered the same, or his successor in office, or whatever Justice may at the time have the record in his possession, and file the same with the clerk of the circuit court of the county where the judgment was rendered, whose duty it shall be, unless otherwise directed by the party entitled thereto, issue an execution on the same as though the judgment had been rendered in the circuit court; and the sheriff shall, in the discharge of his duty, be governed in every respect by the laws now in force prescribing the duties of sheriffs in the collection of debts.

SEC. 3. *Be it further enacted*, That either party shall have the right of appeal from the judgment of the Justice, under the same rules and regulations, and shall, in all respects, be governed by the laws now in force allowing appeals from the judgment of Justices of the Peace to the circuit court.

SEC. 4. *Be it further enacted*, That whenever the judgment rendered shall exceed fifty dollars, the constable collecting the same shall not be entitled to a larger commission for collection than is now allowed to sheriffs for collecting money by execution.

Mr. Brown moved to amend said bill by adding the following section, viz:

Be it further enacted, That the provisions of this act shall not apply to any contracts or debts entered into or created prior to its passage.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brown and Wortham, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Armstrong,	Ireland,	Rhea,
Brown,	Irvine, D.	Riddle,
Desha,	Jones, W. L.	Stevenson,
Devereux,	Mansfield,	Tandy,
Dickerson,	Marshall,	Thomas,
Evans,	McHenry,	Wade,
Fletcher,	Mitchell,	Walker,
Haggard,	Munford,	Waller,
Hanson,	Owens,	Wortham,
Hay,	Pearl,	Young.—32.
Hobbs,	Procter,	

Those who voted in the negative, were—

Mr. Speaker,	Elliott, M.	Morton,
Messrs. Abell,	Foley,	Oglesby,
Alexander,	Gilbert,	Page,
Beeler,	Glenn,	Phillips,
Bell,	Graves,	Poor,
Board,	Hager,	Purdom,

Botts, A. G.	Hall,	Rouse,
Botts, W. S.	Harrison,	Smith,
Bowman,	Hord,	Soery,
Bowmar,	Hoy,	Spalding,
Boyd,	Irvine, J.	Spurr,
Bradford,	Johnston,	Stewart,
Bush,	Jones, J. R.	Talbutt,
Clarke,	Jordan,	Thompson,
Cobb,	Martin,	Towles,
Coleman,	Mayhall,	Vertress,
Crawford,	Mays,	Wheeler,
Crockett,	McArthur,	White,
Covington,	McCallister,	Williams,
Durbin,	Meriwether,	Wright—62.
Elliott, J.	Moore,	

The question was then taken on engrossing and reading said bill a third time, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith, and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Hall,	Morton,
Alexander,	Harrison,	Pearl,
Beeler,	Hord,	Phillips,
Board,	Hoy,	Poor,
Bowman,	Irvine, J.	Rhea,
Bowmar,	Johnston,	Rouse,
Boyd,	Jones, J. R.	Smith,
Bradford,	Jordan,	Soery,
Clarke,	Martin,	Spalding,
Cobb,	Mayhall,	Stevens,
Coleman,	Mays,	Talbutt,
Covington,	McArthur,	Towles,
Durbin,	McCallister,	Vertress,
Elliott, M.	Meriwether,	Wheeler,
Glenn,	Moore,	Young—46.
Graves,		

Those who voted in the negative, were—

Mr. Speaker,	Gilbert,	Procter,
Messrs. Alnut,	Haggard,	Purdom,
Armstrong,	Hager,	Reed,
Bell,	Hanson,	Riddle,
Botts, A. G.	Hay,	Spurr,
Botts, W. S.	Hobbs,	Stevenson,
Brown,	Ireland,	Stewart,
Bush,	Irvine, D.	Tandy,
Crawford,	Jones, W. L.	Thomas,
Crockett,	Mansfield,	Thompson,
Desha,	Marshall,	Wade,

Devereux,
Dickerson,
Elliott, J.
English,
Evans,
Fletcher,
Foley,

McHenry,
Mitchell,
Munford,
Oglesby,
Owens,
Page,

Walker,
Waller,
White,
Williams,
Wortham,
Wright—52.

Mr. Williams moved a re-consideration of the vote rejecting said bill.

Mr. Procter moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the vote be re-considered? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Marshall, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Abell,

Alexander,
Beeler,
Board,
Bowman,
Bowmar,
Boyd,
Bradford,
Clarke,
Cobb,
Coleman,
Crawford,
Covington,
Durbin,
Elliott, M.
Glenn,
Graves,

Hall,
Harrison,
Hobbs,
Hord,
Hoy,
Irvine, J.
Johnston,
Jones, J. R.
Jordan,
Martin,
Mayhall,
Mays,
McArthur,
McCallister,
Meriwether,
Moore,
Morton,

Munford,
Page,
Pearl,
Phillips,
Poor,
Rhea,
Rouse,
Smith,
Soery,
Spalding,
Stevens,
Talbutt,
Towles,
Wheeler,
Williams,
Wright,
Young—51.

Those who voted in the negative, were—

Mr. Speaker,

Messrs. Alnut,

Armstrong,
Bell,
Botts, A. G.
Botts, W. S.
Brown,
Bush,
Crockett,
Desha,
Devereux,
Dickerson,

Gilbert,
Haggard,
Hager,
Hanson,
Hay,
Ireland,
Irvine, D.
Jones, W. L.
Manafield,
Marshall,
McHenry,
Mitchell,

Purdom,
Reed,
Riddle,
Spurr,
Stevenson,
Stewart,
Tandy,
Thomas,
Thompson,
Vertress,
Wade,
Walker,

English,
Evans,
Fletcher,
Foley,

Oglesby,
Owens,
Procter,

Waller,
White,
Wortham—46.

The question was then taken on engrossing and reading the said bill a third time, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hager and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,
Alexander,
Beeler,
Board,
Bowman,
Bowmar,
Boyd,
Bradford,
Clarke,
Cobb,
Coleman,
Covington,
Desha,
Durbin,
Elliott, M.
Glenn,
Graves,
Hall,

Harrison,
Hobbs,
Hord,
Hoy,
Irvine, J.
Johnston,
Jones, J. R.
Jordan,
Martin,
Mayhall,
Mays,
McArthur,
McCallister,
Meriwether,
Moore,
Morton,
Munford,
Page,

Pearl,
Phillips,
Poor,
Rhea,
Rouse,
Salter,
Smith,
Soery,
Spalding,
Stevens,
Talbutt,
Tandy,
Towles,
Vertress,
Wheeler,
Williams,
Young—53.

Those who voted in the negative, were—

Mr. Speaker.
Messrs. Ahut,
Armstrong,
Bell,
Botts, A. G.
Botts, W. S.
Brown,
Bush,
Crawford,
Crockett,
Devereux,
Dickerson,
Elliott, J.
English,
Evans,
Fletcher,

Foley,
Gilbert,
Haggard,
Hager,
Hanson,
Hay,
Ireland,
Irvine, D.
Jones, W. L.
Mansfield,
Marshall,
McHenry,
Mitchell,
Oglesby,
Owens,

Procter,
Purdom,
Reed,
Riddle,
Spurr,
Stevenson,
Stewart,
Thomas,
Thompson,
Wade,
Walker,
Waller,
White,
Wortham,
Wright—46.

Ordered, That Mr. Stevenson inform the Senate that this House is now ready to proceed to an election of a Senator in Congress, in pursuance of the joint resolutions of both Houses.

A message was received from the Senate by Mr. Harris, informing this House that they are now ready to proceed to said election.

Mr. Smith nominated Mr. Joseph R. Underwood; Mr. Procter nominated Mr. Thomas Metcalfe; Mr. Brown nominated Mr. Robert P. Letcher, and Mr. Marshall nominated Mr. Albert G. Hawes.

And the vote being taken, it stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Gilbert,	Poor,
Beeler,	Glenn,	Purdum,
Bell,	Haggard,	Reed,
Bowman,	Harrison,	Rhea,
Bowmar,	Hay,	Smith,
Boyd,	Hoy,	Soery,
Bradford,	Mayhall,	Vertress,
Clarke,	McCallister,	Waller,
Cobb,	McHenry,	Williams,
Crockett,	Munford,	Wortham,
Covington,	Owens,	Young—35.
Evans,	Page,	

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hanson,	Talbutt,
Durbin,	Hord,	Thomas—8.
Hall,	Procter,	

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hobbs,	Phillips,
Messrs. Botts, W. S.	Irvine, D.	Salter,
Brown,	Jones, W. L.	Spurr,
Bush,	Jordan,	Stewart,
Crawford,	Martin,	Tandy,
Devereux,	Mitchell,	Thompson,
Foley,	Pearl,	White—21.

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Ogelsby,
Alnut,	Ireland,	Riddle,
Armstrong,	Irvine, J.	Rouse,
Board,	Johnston,	Spalding,
Coleman,	Jones, J. R.	Stevens,
Desha,	Mansfield,	Stevenson,
Dickerson,	Marshall,	Towles,
Elliott, J.	Mays,	Wade,
Elliott, M.	McArthur,	Walker,
English,	Meriwether,	Wheeler,
Fletcher,	Moore,	Wright—35.
Graves,	Morton,	

Messrs. Meriwether, D. Irvine and Covington were appointed a committee on the part of this House, to act in conjunction with the committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Meriwether from the committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	44
For Mr. Metcalfe,	-	-	-	-	-	-	12
For Mr. Letcher,	-	-	-	-	-	-	35
For Mr. Hawes,	-	-	-	-	-	-	46

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Gilbert,	Poor,
Beeler,	Glenn,	Purdum,
Bell,	Haggard,	Reed,
Bowman,	Harrison,	Rhea,
Bowmar,	Hay,	Smith,
Boyd,	Hoy,	Soery,
Bradford,	Mayhall,	Vertress,
Clarke,	McCallister,	Waller,
Cobb,	McHenry,	Williams,
Crockett,	Munford,	Wertham,
Covington,	Owens,	Young—35.
Evans,	Page,	

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hord,	Talbutt,
Durbin,	Procter	Thomas—7.
Hall,		

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hobbs,	Phillips,
Botts, W. S.	Irvine, D.	Salter,
Brown,	Jones, W. L.	Spurr,
Bush,	Jordan,	Stewart,
Crawford,	Martin,	Tandy,
Devereux,	Mitchell,	Thompson,
Foley,	Pearl,	White—22.
Hanson,		

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Ogleby,
Alnut,	Ireland,	Riddle,
Armstrong,	Irvine, J.	Rosse,
Board,	Johnston,	Spalding,
Coleman,	Jones, J. R.	Stevens,
Decha,	Mansfield,	Stevenson,

Dickerson,
Elliott, J.
Elliott, M.
English,
Fletcher,
Graves,

Marshall,
Mays,
McArthur,
Meriwether,
Moore,
Morton,

Towles,
Wade,
Walker,
Wheeler,
Wright—35.

The same committee were appointed to compare the joint vote and report the result.

After a short time Mr. Meriwether reported that the joint vote stood thus:

For Mr. Underwood, -	-	-	-	-	-	44
For Mr. Metcalfe, -	-	-	-	-	-	12
For Mr. Letcher, -	-	-	-	-	-	36
For Mr. Hawes, -	-	-	-	-	-	45

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,
Beeler,
Bell,
Bowman,
Bowmar,
Boyd,
Bradford,
Clarke,
Cobb,
Crockett,
Covington,
Evans,

Gilbert,
Glenn,
Haggard,
Harrison,
Hay,
Hoy,
Mayhall,
McCallister,
McHenry,
Munford,
Owens,
Page,

Poor,
Purdom,
Reed,
Rhea,
Smith,
Soery,
Vertress,
Waller,
Williams,
Wortham,
Young—30.

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.
Durbin,
Hall,

Hord,
Procter,

Talbutt,
Thomas—7.

Those who voted for Mr. Letcher, were—

Mr. Speaker,
Messrs. Botts, W. S.
Brown,
Bush,
Crawford,
Devereux,
Foley,
Hanson,

Hobbs,
Irvine, D.
Jones, W. L.
Jordan,
Martin,
Mitchell,
Pearl,

Phillips,
Salter,
Spurr,
Stewart,
Tandy,
Thompson,
White—23.

Those who voted for Mr. Hawes, were—

Messrs. Abell,
Alnut,

Hager.
Ireland,

Oglesby,
Riddle,

Armstrong,
Board,
Coleman,
Desha,
Dickerson,
Elliott, J.
Elliott, M.
English,
Fletcher,
Graves,

Irvine, J.
Johnston,
Jones, J. R.
Mansfield,
Marshall,
Mays,
McArthur,
Meriwether,
Moore,
Morton,

Rouse,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,
Wheeler,
Wright—35.

The same committee were appointed to compare the joint vote and report the result.

After a short time Mr. Meriwether reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	44
For Mr. Metcalfe,	-	-	-	-	-	-	11
For Mr. Letcher,	-	-	-	-	-	-	36
For Mr. Hawes,	-	-	-	-	-	-	46

And then the House adjourned.

WEDNESDAY, JANUARY 27, 1847.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act authorizing the proper courts to change the names of persons, and legitimate children born out of wedlock.

That they had passed bills from this House, of the following titles, viz:

An act to amend an act, entitled, an act for the benefit of Susan Ann D. Young, approved January 21, 1846.

An act to amend an act, entitled, an act to amend the road law of Kenton.

An act to amend, in part, and repeal, in part, the act establishing a road from the mouth of Laurel river, through London, to Bates' Salt well, in Clay county.

An act for the benefit of John Crice.

An act to change the Spring term of the Jessamine circuit courts.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to provide for a change of venue in the prosecution against Richard S. Mason.

An act for the benefit of the town of Winchester.

An act to provide for a change of venue in the prosecution against Polly Fenton.

An act for the benefit of Bernard Simpson and wife, and William Bailey, of Adair county.

An act for the benefit of George W. Dixon, of Nelson county.

An act for the benefit of the heirs of David Ramsey, deceased, of Hickman county.

An act for the benefit of Samuel D. McCullough and his securities.

An act for the benefit of William G. Conniel, surveyor of Trimble county.

An act allowing a special term of the Green county court.

That they had adopted resolutions in relation to a modification of the tariff laws, so as to admit duty free, Books, &c., imported for the use of colleges and schools.

1. Mr. Wheeler presented the petition of John Byland, praying to be divorced from his wife, Alice Byland.

2. Mr. Graves presented the petition of Elizabeth Payne and others, praying a change of venue in the prosecution now pending in the Marion circuit court, against her slave William, for arson.

3. Mr. Procter presented the petition of John Callingham and wife, praying the passage of a law authorizing the wife of said Callingham, who is under age, to convey certain lands.

4. Mr. Harrison presented the petition of sundry citizens of the town of Hopkinsville, praying the passage of a law giving the mechanics of said town leins for work and labor done and materials furnished in the erection of buildings.

5. Mr. J. Irvine presented the petition of sundry citizens of the city of Louisville, praying an amendment to the laws authorizing the licensing of coffee houses in said city.

6. Mr. Mitchell presented the petition of Hiram Kenly, praying to be released from a judgment of the Lincoln circuit court, in favor of the Commonwealth, against him.

Which were received, the reading thereof dispensed with, (except the 5th which was read,) and referred; the 1st to the committee on Religion; the 2d, 3d, 5th and 6th to the committee on the Judiciary; and the 4th to the committee on Agriculture and Manufactures.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Wheeler—A bill to allow additional Justices of the Peace to the counties of Pendleton and Hart.

By Mr. Ireland—A bill for the benefit of the Trustees of Williamstown.

By the committee on Propositions and Grievances—A bill for the benefit of the Trustees of the town of Russellville.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, viz:

An act allowing a special term of the Green county court.

An act for the benefit of the surveyor of Marshall county.

Were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The amendment proposed by the Senate to a bill from this House, entitled, an act to change the time of holding the spring term of the Jessamine circuit court, was taken up, twice read, and concurred in.

The Speaker laid before the House the annual report of the Directors of the Lunatic Asylum, which is as follows, viz:

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of James S. Chrisman and wife.

An act for the benefit of Louisa M. Garesche and others.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. Meriwether, from the committee on Propositions and Grievances, to whom was referred bills from the Senate, of the following titles, viz:

1. An act to add a part of the county of Hopkins to the county of Caldwell.

2. An act for the benefit of the trustees and citizens of the town of Princeton, in Caldwell county.

Reported the first with, and the second without, amendment, which was concurred in.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as afore-said.

Mr. Meriwether, from the same committee, to whom was referred a bill to remove the Seat of Justice of the county of Mason from the the town of Washington to the city of Maysville, reported the same with an amendment as a substitute, which was concurred in.

The question was then put on engrossing and reading said bill a third time.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again proceeded to the election of a Senator in Congress, for six years from the 4th of March next.

The vote was then taken between those remaining on nomination on yesterday, and it stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Gilbert,	Poor,
Beeler,	Glenn,	Purdom,
Bell,	Haggard,	Reed,
Bowman,	Harrison,	Rhea,
Bowmar,	Hay,	Smith,
Boyd,	Hoy,	Soery,
Bradford,	Mayhall,	Vertress,
Clarke,	McCallister,	Waller,
Cobb,	McHenry,	Williams,
Crockett,	Munford,	Wortham,
Covington,	Owens,	Young—35.
Evans,	Page,	

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hanson,	Talbutt,
Durbin,	Hord,	Thomas—8.
Hall,	Procter,	

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hobbs,	Phillips,
Messrs. Botts, W. S.	Irvine, D.	Salter,
Brown,	Jones, W. L.	Spurr,
Bush,	Jordan,	Stewart,
Crawford,	Martin,	Tandy,
Devereux,	Mitchell,	Thompson,
Foley,	Pearl,	White—21.

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Ogelsby,
Alnut,	Ireland,	Riddle,

Armstrong,	Irvine, J.	Rouse,
Board,	Johnston,	Spalding,
Coleman,	Jones, J. R.	Stevens,
Desha,	Mansfield,	Stevenson,
Dickerson,	Mays,	Towles,
Elliott, J.	McArthur,	Wade,
Elliott, M.	Meriwether,	Walker,
English,	Moore,	Wheeler,
Fletcher,	Morton,	Wright—34.
Graves,		

The same committee were appointed to compare the joint vote and report the result.

After a short time Mr. Meriwether reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	44
For Mr. Metcalfe,	-	-	-	-	-	-	14
For Mr. Letcher,	-	-	-	-	-	-	34
For Mr. Hawes,	-	-	-	-	-	-	44

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Gilbert,	Poor,
Beeler,	Glenn,	Purdum,
Bell,	Haggard,	Reed,
Bowman,	Harrison,	Rhea,
Bowmar,	Hay,	Smith,
Boyd,	Hoy,	Soery,
Bradford,	Mayhall,	Vertress,
Clarke,	McCallister,	Waller,
Cobb,	McHenry,	Williams,
Crockett,	Munford,	Wortham,
Covington,	Owens,	Young—35.
Evans,	Page,	

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hanson,	Talbutt,
Durbin,	Hord,	Thomas,
Hall,	Procter,	Thompson—9.

Those who voted for Mr. Letcher, were—

Mr. Speaker.	Hobbs,	Phillips,
Messrs. Botts, W. S.	Irvine, D.	Salter,
Brown,	Jones, W. L.	Spurr,
Bush,	Jordan,	Stewart,
Crawford,	Martin,	Tandy,
Devereux,	Mitchell,	White—20.
Foley,	Pearl,	

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Oglesby,
Alnut,	Ireland,	Riddle,
Armstrong,	Irvine, J.	Rouse,
Board,	Johnston,	Spalding,
Coleman,	Jones, J. R.	Stevens,
Desha,	Mansfield,	Stevenson,
Dickerson,	Mays,	Towles,
Elliott, J.	McArthur,	Wade,
Elliott, M.	Meriwether,	Walker,
English,	Moore,	Wheeler,
Fletcher,	Morton,	Wright—34.
Graves,		

The same committee were appointed to compare the joint vote and report the result.

After a short time Mr. Meriwether reported that the joint vote stood thus:

For Mr Underwood,	-	-	-	-	-	-	45
For Mr. Metcalfe,	-	-	-	-	-	-	15
For Mr. Letcher,	-	-	-	-	-	-	36
For Mr. Hawes,	-	-	-	-	-	-	39

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Gilbert,	Page,
Beeler,	Glenn,	Poor,
Bell,	Haggard,	Purdom,
Bowman,	Harrison,	Reed,
Bowmar,	Hay,	Rhea,
Boyd,	Hoy,	Smith,
Bradford,	Mayhall,	Soery,
Clarke,	McCallister,	Vertress,
Cobb,	McHenry,	Waller,
Covington,	Munford,	Williams,
Evans,	Owens,	Wortham—33.

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hord,	Thomas,
Durbin,	Procter,	Young—8.
Hall,	Talbutt,	

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hanson,	Phillips,
Messrs. Botts, W. S.	Hobbs,	Salter,
Brown,	Irvine, D.	Spurr,
Bush,	Jones, W. L.	Stewart,

Crawford,
Crockett,
Devereux,
Foley,

Jordan,
Martin,
Mitchell,
Pearl,

Tandy,
Thompson,
White—23.

Those who voted for Hawes, were—

Messrs. Abell,
Alnut,
Armstrong,
Board,
Coleman,
Desha,
Dickerson,
Elliott, J.
Elliott, M.
English,
Fletcher,
Graves,

Hager,
Ireland,
Irvine, J.
Johnston,
Jones, J. R.
Mansfield,
Mays,
McArthur,
Meriwether,
Moore,
Morton,

Oglesby,
Riddle,
Rouse,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,
Wheeler,
Wright—34.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood, -	-	-	-	-	-	-	43
For Mr. Metcalfe, -	-	-	-	-	-	-	14
For Mr. Letcher, -	-	-	-	-	-	-	-
For Mr. Hawes, -	-	-	-	-	-	-	40

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,
Beeler,
Bell,
Bowman,
Bowmar,
Boyd,
Bradford,
Clarke,
Cobb,
Covington,
Evans,
Gilbert,

Glenn,
Haggard,
Harrison,
Hay,
Hoy,
Mayhall,
McCallister,
McHenry,
Munford,
Owens,
Page,

Poor,
Purdum,
Reed,
Rhea,
Smith,
Soery,
Vertress,
Waller,
Williams,
Wortham,
Young—34.

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.
Durbin,
Hall,

Hord,
Procter,

Talbutt,
Thomas—7.

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hanson,	Phillips,
Messrs. Botts, W. S.	Hobbs,	Salter,
Brown,	Irvine, D.	Spurr,
Bush,	Jones, W. L.	Stewart,
Crawford,	Jordan,	Tandy,
Crockett,	Martin,	Thompson,
Devereux,	Mitchell,	White—23.
Foley,	Pearl,	

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Oglesby,
Alnut,	Ireland,	Riddle,
Armstrong,	Irvine, J.	Rouse,
Board,	Johnston,	Spalding,
Coleman,	Jones, J. R.	Stevens,
Desha,	Mansfield,	Stevenson,
Dickerson,	Mays,	Towles,
Elliott, J.	McArthur,	Wade,
Elliott, M.	Meriwether,	Walker,
English,	Moore,	Wheeler,
Fletcher,	Morton,	Wright—34.
Graves,		

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	42
For Mr. Metcalfe,	-	-	-	-	-	-	12
For Mr. Letcher,	-	-	-	-	-	-	40
For Mr. Hawes,	-	-	-	-	-	-	41

A message was received from the Senate, announcing that they had adopted a resolution to suspend the election of a Senator in Congress until to-morrow at 12 meridian.

Mr. Stevenson moved to amend said resolution by striking out "to-morrow at 12 meridian," and inserting "10th day of February next."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bush and Stevenson, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,	Ireland,	Pearl,
Armstrong,	Irvine, J.	Riddle,
Bell,	Johnston,	Rouse,
Board,	Mansfield,	Spalding,
Coleman,	Mays,	Stevens,

Desha,
Dickerson,
Elliott, J.
Elliott, M.
English,
Fletcher,
Hager,

McArthur,
McHenry,
Meriwether,
Moore,
Morton,
Oglesby,

Stevenson,
Towles,
Wade,
Walker,
Wheeler,
Wright—34.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell,
Alexander,
Beeler,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Bush,
Clarke,
Cobb,
Crawford,
Crockett,
Covington,
Devereux,
Durbin,
Evans,
Foley,
Gilbert,

Glenn,
Graves,
Haggard,
Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Hord,
Hoy,
Irvine, D.
Jones, J. R.
Jones, W. L.
Jordan,
Martin,
Mayhall,
McCallister,
Mitchell,
Munford,
Owens,
Page,

Phillips,
Poor,
Procter,
Purdom,
Reed,
Rhea,
Salter,
Smith,
Soery,
Spurr,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Vertress,
Waller,
White,
Williams,
Wortham,
Young—64.

The said resolution was then twice read and concurred in.
And then the House adjourned.

THURSDAY, JANUARY 28, 1847.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act to change the time of holding the Garrard and Boyle circuit courts, and the Madison chancery court.

That they had passed a bill, entitled, an act for the benefit of James Jenkins, of Warren county.

That they had received official information from the Governor, announcing that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of the infant heirs of William McKittrick, deceased.

An act for the benefit of John McAfee, of Mercer county.

An act for the benefit of William Wadlington, of Caldwell county.

An act for the benefit of John Hoy, of Simpson county.

An act for the benefit of Nathaniel S. Robertson.

An act for the benefit of Joseph Crow, of Allen county.

An act for the benefit of the children of Dr. W. D. S. Taylor.

An act for the benefit of the heirs of Mabry T. Cox.

An act for the benefit of Isaac Ayres.

An act to amend an act, entitled, an act for the benefit of the Grand and Subordinate Lodges of the Independent Order of Odd Fellows, and for the benefit of Washington Lodge, No. 3, in the city of Covington, approved January 21, 1846.

An act for the benefit of John W. Hughes, Nancy N. Hughes and Henry Hughes, of Hancock county.

Approved January 23, 1847.

1. Mr. Armstrong presented the petition of Charles Query and others, praying an act of incorporation to the Shepherdsville Iron Works Company.

2. Mr. Stevens presented the petition of sundry citizens of Caldwell county, praying a division of said county, and the formation of a new county out of part thereof.

3. Mr. Thompson presented the petition of sundry citizens of Jessamine county, praying the passage of a law authorizing the county court of said county to make an appropriation for the support of Lovey Wharton.

4. Mr. Towles presented the petition of sundry citizens of the town of Greensburg, praying an amendment to the charter of said town.

5. Mr. Stevens presented the remonstrance of sundry citizens of Caldwell county, against the division thereof, by the formation of a new county out of part thereof.

6. Mr. Armstrong presented the petition of sundry citizens of Oldham county, praying the repeal of the act of 1846, to prevent the sale of spirituous liquors in the town of Lagrange and within one half mile thereof.

7. Also, the memorial of the faculty and students of the Masonic College of Kentucky, and of the ladies and citizens of Lagrange, against the repeal of the act of 1846, prohibiting the sale of spirituous liquors in the town of Lagrange, or within one mile thereof.

8. Mr. Spurr presented the petition of John C. Alberte, praying to be released from paying tolls at a gate on the Winchester and Lexington Turnpike.

9. Mr. Board presented the petition of Robert Field, praying to be divorced from his wife, Pamela Field.

10. Mr. Crawford presented the petition of E. A. Trimble, praying the passage of a law authorizing the collection of the fees due her late husband, as clerk of the Carter county and circuit courts.

11. Mr. Bush presented the petition of sundry citizens of Clarke county, praying the establishment of an election precinct in said county.

12. Mr. Board presented the petition of sundry citizens of Graves county, praying that an additional Justice of the Peace be allowed to said county.

13. Mr. Meriwether presented the petition of Sydney S. Alexander and Jacob S. Augustus, praying permission to bring into this State a slave.

14. Also, the remonstrance of Frederick Herr and others, against the permission asked by Sidney S. Alexander and Jacob S. Augustus, to bring into this State a slave.

15. Also, the remonstrance of citizens of South Frankfort, against the passage of a law authorizing the collection of a tax on the persons and property of said town.

16. Mr. J. Elliott presented the petition of John W. Hazlerigg, praying that compensation be made him for making a second copy of the commissioner's books of Floyd county, as clerk thereof, the first copy made by him having miscarried in its transmission to the Auditor.

17. Mr. Tandy presented the petition of sundry citizens of Carroll county, praying the passage of a law giving the mechanics of said town leins for their labor, &c.

18. Mr. Board presented the petition of William Gibson, praying to be divorced from his wife, Jane Gibson.

19. Mr. Foley presented the petition of William S. Cook, praying the passage of a law regulating the location of vacant lands.

20. Mr. Page presented the petition of A. B. Fontain, praying the incorporation of the First Universalist Society, in Louisville.

21. Mr. Wade presented the petition of James Samuels, sheriff of Bullitt county, asking further time to renew his bond.

Which were received, the reading thereof dispensed with, and referred: the 1st, 3d, 4th, 10th, 12th, 13th, 14th, 17th, 19th and 20th to the committee on the Judiciary; the 2d, 5th, 6th, 7th, 15th and 16th to the committee on Propositions and Grievances; the 8th to the committee on Internal Improvement; the 9th and 18th to the committee on Religion; the 11th to the committee on Privileges and Elections, and the 21st to the committee on Ways and Means.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, and

an enrolled bill which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the surveyor of Marshall county.

An act allowing a special term of the Green county court.

An act to change the time of holding the Garrard and Boyle circuit courts, and the Madison chancery court.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Mitchell—1. A bill to amend the charter of the town of Danville.

On the motion of Mr. Wade—2. A bill to legalize the proceedings of Joshua F. Speed and James C. Pendleton, commissioners to run and mark the county lines between Jefferson and Bullitt.

Ordered, That Messrs. Mitchell, Vertress and Young prepare and bring in the 1st, and the committee on the Judiciary the 2d.

Mr. Glenn moved the following resolution, viz:

Resolved, That the committee on Internal Improvement be requested to enquire into the propriety of placing the Logan, Todd and Christian Turnpike Road, with the consent of the private stockholders, under the control of the county courts of the counties through which it passes; and that the President of the Board of Internal Improvement be requested to inform said committee whether or not any thing has been received by the State from said road, and that said committee report by bill or otherwise.

Which was adopted.

Mr. Wortham, from the committee on Privileges and Elections, to whom was referred the petition of sundry citizens of Henderson county, praying the removal of an election precinct in said county, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. McHenry—1. A bill concerning the jail of Shelby county, and for other purposes.

By Mr. D. Irvine—2. A bill concerning Justices of the Peace.

By the committee on Propositions and Grievances—3. A bill to establish the town of Dycusburg, in the county of Crittenden.

By same—4. A bill authorizing John Woodburn to import a slave into this Commonwealth.

By same—5. A bill to change the county line between the counties of Floyd and Pike.

By the committee on Privileges and Elections—6. A bill to change the place of voting in Hart county, from the house of James Simpson to John H. Liveley's.

By Mr. White—7. A bill for the benefit of the citizens on the middle fork of Kentucky river, in Clay county.

By the committee on Military Affairs—8. A bill for the benefit of Richard Myers, and to legalize the proceedings of the 17th Regiment of Kentucky Militia.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st, 3d, 4th, 5th, 6th, 7th and 8th were severally ordered to be engrossed and read a third time, and the second was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 3d, 4th, 5th, 6th, 7th and 8th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The yeas and nays being required on the passage of the fourth bill, by Messrs. Armstrong and Salter, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Glenn,	Morton,
Alexander,	Haggard,	Munford,
Alnut,	Hager,	Oglesby,
Beeler,	Hall,	Owens,
Bell,	Hanson,	Page,
Board,	Harrison,	Poor,
Botts, A. G.	Hay,	Reed,
Botts, W. S.	Hobbs,	Rhea,
Bowman,	Hord,	Smith,
Bowmar,	Hoy,	Soery,
Boyd,	Ireland,	Spalding,
Bradford,	Irvine, D.	Spurr,
Brown,	Irvine, J.	Stevens,
Clarke,	Johnston,	Stevenson,
Coleman,	Jones, J. R.	Talbutt,
Crawford,	Jones, W. L.	Tandy,
Crockett,	Jordan,	Thomas,
Desha,	Mansfield,	Thompson,
Devereux,	Marshall,	Towles,
Dickerson,	Martin,	Wade,
Durbin,	Mays,	Walker,
Elliott, J.	McArthur,	Waller,
English,	McCallister,	Wheeler,
Evans,	Meriwether,	Wortham,
Fletcher,	Mitchell,	Young.—77.
Gilbert,	Moore,	

Those who voted in the negative, were—

Messrs. Armstrong,	Mayhall,	Rouse,
Bush,	McHenry,	Salter,
Cobb,	Pearl,	Vertress,
Covington,	Phillips,	White,
Elliott, M.	Procter,	Williams,
Foley,	Purdom,	Wright—20.
Graves,	Riddle,	

The House again resumed the consideration of the bill to remove the Seat of Justice of the county of Mason, from the town of Washington to the city of Maysville.

Ordered, That said bill be engrossed and read a third time.

Mr. Waller moved that said bill have its third reading now.

And the question being taken thereon, it was decided in the affirmative.

The said bill was then read a third time, as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That at the next August election a poll shall be opened to ascertain the will of the people of said county of Mason, as to the location of their Seat of Justice; two columns being ruled and headed, the one "For Maysville," the other "For Washington;" and the voters when presenting themselves at the polls, shall be asked by the Judges: "Do you vote for Maysville, or Washington?" and those voting for either shall be enrolled in the proper column, "For Maysville," or "For Washington."

SEC. 2. That it shall be the duty of the Commissioners of Tax for Mason county, for the year 1847, to report the names of each and every legal voter in said county at the time of listing property for taxation; and to enable them to ascertain who are legal voters, they are hereby authorized and required to administer to each and every white tithe, who is not known to said Commissioners to be a legal voter of said county, the same oath which is now required by law to be administered to doubtful voters at the polls during the annual elections; and the said Commissioners shall mark the word "sworn," opposite the name of each individual so sworn by them; and such list, so returned, shall be deemed and taken to be the legal vote of said county: *Provided*, that either party shall be authorized, within forty days after the return of said list of voters, to file in the office of the clerk of the county court for said county, a list of the names of such persons so returned, as such party may intend to object to, and a list of such other names as either party may wish to have added to the list, so returned by said Commissioners; and all the names so objected, who may be found to be illegal voters, as hereinafter provided for, shall be stricken off said list, and all the names found on the lists, so filed with the clerk, as intended to be added to the vote of said county, who shall be found to be legal voters of said county, shall be added to said Commissioner's books; and said books, thus corrected, shall be deemed and taken to exhibit the true number of the legal voters of said county.

SEC. 3. In order to carry out the provisions of the foregoing sections of this act, it shall be lawful for the county courts of the counties of Lewis, Fleming, Nicholas, and Bracken, each to appoint, at the March or April

terms of their respective courts, one Commissioner for their county, who shall be a resident thereof, any three of whom shall form a Board, who after being duly sworn to act impartially between the parties, shall proceed to the county of Mason, and shall hold a session at some convenient and public place in each of the three Commissioner's Districts in said county, after giving twenty days notice through the Maysville newspapers of the times and places of said meetings, and then hear such proof as may be presented by either party, touching the legality of the vote of any such name proposed to be added to, or stricken from, the Commissioner's books as before provided; and if it shall appear that any person whose name may be proposed to be added as above, was a resident of said county on the 10th day of January, 1847, who was then a legal voter, or may become a legal voter, on or before the first day of August next ensuing, then such name shall be added to said list; and said Commissioners shall adjourn from day to day, until they shall have completed their labors; and in case of the death, sickness, or refusal to act of either of the said Commissioners, so appointed by the said county courts of Lewis, Fleming, Nicholas and Bracken, or in case of the failure of either county court to appoint, the remaining Commissioners are authorized and required to fill the vacancy in the Board, by the appointment of some suitable person from the same county, so there shall be at least three commissioners to act; and said commissioners shall terminate their labors before the annual elections.

SEC. 4. The said Board of Commissioners, or any three of them, shall meet in the town of Washington within thirty days after the annual election, and then and there proceed to ascertain the number of the votes found on said Commissioner's books, thus corrected, who have voted for Maysville, as well as those who have voted for Washington; and if it shall appear that Maysville has received 150 votes more than Washington, as above, then the said county seat shall be removed to the city of Maysville.

SEC. 5. The said Board of Commissioners, or any three of them, shall make a report to the county court of Mason at its September or October term, next ensuing, of the number of votes cast for Maysville, of those on the Commissioner's list as aforesaid; and also, of the number of votes cast for Washington, of those on said list; and the said county court shall examine said report, and the same shall be conclusive with said court, as to the numbers respectively voting for Maysville and Washington at the August election; and if it shall appear from said report, that Maysville has received a majority of 150 votes, as aforesaid, the said county court shall immediately cause an order to be entered up removing the Seat of Justice to Maysville: *Provided, however*, that the City Council of Maysville, through its President, or a member authorized by an order of said City Council, shall execute and present to said court, a deed conveying the building called the City Hall to the county of Mason, to be used as a court house and for other purposes, reserving only the present Council Chamber for the use of the City Council and the Mayor's court, and the control of the clock in said building: *And, provided further*, that said City Council shall, through its President, or agent, as aforesaid, execute a bond in the penalty of \$5,000, with good security, conditioned for the erection of a sufficient county jail and stray pen, in said city, within six months from the first term of the circuit court holden in Maysville; and the present jail of said county shall continue to be

used as the jail thereof, until the erection of the new one in the city of Maysville.

SEC. 6. Immediately upon the entry of the order of the county court removing the Seat of Justice to Maysville, it shall be the duty of the clerk of the circuit and county courts, to remove, without unnecessary delay, the papers and records belonging to said offices to the rooms he may select, or the county court may determine as suitable, in the said City Hall in Maysville; and regularly thereafter, the circuit and county courts shall hold their respective terms, as fixed and regulated by law, in said building in the said city of Maysville.

SEC. 7. Each of the said Board of Commissioners, as above provided for, shall be paid the sum of \$2 per day for each day's attendance in the discharge of the duties above imposed upon him; and should the county seat be removed to Maysville, the same shall be paid by the City Council of the city of Maysville; but should the county seat not be removed to Maysville, then and in that event, the said expense shall be paid by the county court of Mason.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. McHenry and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hanson,	Pearl,
Messrs. Abell,	Harrison,	Phillips,
Alnut,	Hay,	Poor,
Beeler,	Hord,	Procter,
Board,	Hoy,	Purdum,
Botts, A. G.	Irvine, D.	Reed,
Botts, W. S.	Irvine, J.	Rouse,
Bowman,	Johnston,	Smith,
Bush,	Jones, J. R.	Soery,
Clarke,	Jones, W. L.	Spurr,
Cobb,	Marshall,	Stevenson,
Crawford,	Mayhall,	Stewart,
Crockett,	Mays,	Talbutt,
Covington,	McArthur,	Tandy,
Dickerson,	Meriwether,	Thomas,
Elliott, J.	Mitchell,	Thompson,
Elliott, M.	Moore,	Vertress,
Fletcher,	Morton,	Walker,
Gilbert,	Munford,	Waller,
Glenn,	Oglesby,	Wortham,
Graves,	Owens,	Wright,
Haggard,	Page,	Young.—67.
Hall,		

Those who voted in the negative, were—

Messrs. Alexander,	English,	McHenry,
Armstrong,	Evans,	Rhea,

Bell,	Foley,	Riddle,
Bowmar,	Hager,	Salter,
Boyd,	Hobbs,	Spalding,
Bradford,	Ireland,	Stevens,
Brown,	Jordan,	Towles,
Desha,	Mansfield,	Wade,
Devereux,	Martin,	Wheeler,
Durbin,	McCallister,	Williams—30.

Resolved, That the title of said bill be as aforesaid.

A message was received from the Senate by Mr. James, announcing that they were then ready to proceed to the election of a Senator in Congress.

The vote was then taken between those remaining on nomination on yesterday, and it stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Gilbert,	Poor,
Beeler,	Glenn,	Purdom,
Bell,	Haggard,	Reed,
Bowman,	Harrison,	Rhea,
Bowmar,	Hay,	Smith,
Boyd,	Hoy,	Soery,
Bradford,	Mayhall,	Vertress,
Clarke,	McCallister,	Waller,
Cobb,	McHenry,	Williams,
Crockett,	Munford,	Wortham,
Covington,	Owens,	Young—35.
Evans,	Page,	

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hanson,	Talbutt,
Botts, W. S.	Hord,	Thomas,
Durbin,	Procter	Thompson—11.
Hall,	Steele,	

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Irvine, D.	Phillips,
Messrs. Brown,	Jones, W. L.	Salter,
Bush,	Jordan,	Spurr,
Crawford,	Martin,	Stewart,
Devereux,	Mitchell,	Tandy,
Foley,	Pearl,	White—19.
Hobbs,		

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Oglesby,
Alnut,	Ireland,	Riddle,
Armstrong,	Irvine, J.	Rouse,
Board,	Johnston,	Spalding,
Coleman,	Jones, J. R.	Stevens,
Desha,	Mansfield,	Stevenson,

Dickerson,
Elliott, J.
Elliott, M.
English,
Fletcher,
Graves, .

Marshall, .
Mays,
McArthur,
Meriwether,
Moore,
Morton,

Towles,
Wade,
Walker,
Wheeler,
Wright—35.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood, -	-	-	-	-	-	-	44
For Mr. Metcalfe, -	-	-	-	-	-	-	15
For Mr. Letcher, -	-	-	-	-	-	-	34
For Mr. Hawes, -	-	-	-	-	-	-	44

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,
Beeler,
Bell,
Bowman,
Bowmar,
Bradford,
Clarke,
Cobb,
Crockett,
Covington,
Evans,
Gilbert,

Glenn,
Haggard,
Harrison,
Hay,
Hoy,
Mayhall,
McCallister,
McHenry,
Munford,
Oglesby,
Owens,

Page,
Poor,
Purdom,
Reed,
Rhea,
Smith,
Soery,
Vertress,
Waller,
Williams,
Wortham—34.

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.
Botts, W. S.
Durbin,
Hall,

Hanson,
Hord,
Procter,
Steele,

Talbutt,
Thomas,
Thompson,
Young—12.

Those who voted for Mr. Letcher, were—

Mr. Speaker,
Messrs. Boyd,
Brown,
Bush,
Crawford,
Devereux,
Elliott, J.

Foley,
Hobbs,
Irvine, D.
Jones, W. L.
Jordan,
Martin,
Mitchell,

Pearl,
Phillips,
Salter,
Spurr,
Stewart,
Tandy,
White—21.

Those who voted for Mr. Hawes, were—

Messrs. Abell,
Alvett,

Hager,
Ireland,

Morton,
Riddle,

Armstrong,	Lavine, J.	Rouse,
Board,	Johnston,	Spalding,
Coleman,	Jones, J. R.	Stevens,
Desha,	Mansfield,	Stevenson,
Dickerson,	Marshall,	Towles,
Elliott, M.	Mays,	Wade,
English,	McArthur,	Walker,
Fletcher,	Meriwether,	Wheeler,
Graves,	Moore,	Wright—33.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	43
For Mr. Metcalfe,	-	-	-	-	-	16
For Mr. Letcher,	-	-	-	-	-	39
For Mr. Hawes,	-	-	-	-	-	30

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Glenn,	Poor,
Beeler,	Haggard,	Purdum,
Bell,	Harrison,	Reed,
Bowman,	Hay,	Rhea,
Bowmar,	Hoy,	Smith,
Bradford,	Mayhall,	Soery,
Clarke,	McCallister,	Vertress,
Cobb,	McHenry,	Waller,
Crockett,	Munford,	Williams,
Covington,	Ogelsby,	Wortham,
Evans,	Owens,	Young—35.
Gilbert,	Page,	

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hall,	Steele,
Botts, W. S.	Hanson,	Talbutt,
Crawford,	Hord,	Thomas—11,
Durbin,	Procter,	

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hobbs,	Phillips,
Messrs. Boyd,	Irvine, D.	Salter,
Brown,	Jones, W. L.	Spurr,
Bush,	Jordan,	Stewart,
Devereux,	Martin,	Tandy,
Elliott, J.	Mitchell,	Thompson,
Foley,	Pearl,	White—21.

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Morton,
Alout,	Ireland,	Riddle,
Armstrong,	Irvine, J.	Rouse,
Board,	Johnston,	Spalding,
Coleman,	Jones, J. R.	Stevens,
Desha,	Mansfield,	Stevenson,
Dickerson,	Marshall,	Towles,
Ellott, M.	Mays,	Wade,
English,	McArthur,	Walker,
Fletcher,	Meriwether,	Wheeler,
Graves,	Moore,	Wright—33.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	44
For Mr. Metcalfe,	-	-	-	-	-	-	18
For Mr. Letcher,	-	-	-	-	-	-	36
For Mr. Hawes,	-	-	-	-	-	-	39

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Glenn,	Page,
Beeler,	Haggard,	Poor,
Bell,	Harrison,	Purdom,
Bowman,	Hay,	Reed,
Bowmar,	Hoy,	Rhea,
Bradford,	Mayhall,	Smith,
Clarke,	McCallister,	Soery,
Cobb,	McHenry,	Vertress,
Crockett,	Munford,	Waller,
Covington,	Oglesby,	Williams,
Evans,	Owens,	Wortham—34.
Gilbert,		

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hord,	Talbutt,
Botts, W. S.	Procter,	Thomas,
Durbin,	Steele,	Young—10.
Hall,		

Those who voted for Mr. Letcher, were—

Mr. Speaker.	Hobbs,	Phillips,
Messrs. Boyd,	Irvine, D.	Salter,
Brown,	Jones, W. L.	Spurr,
Bush,	Jordan,	Stewart,

Crawford,
Devereux,
Foley,
Hanson,

Martin,
Mitchell,
Pearl,

Tandy,
Thompson,
White—22.

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Morton,
Alnut,	Ireland,	Riddle,
Armstrong,	Irvine, J.	Rouse,
Board,	Johnston,	Spalding,
Coleman,	Jones, J. R.	Stevens,
Desha,	Mansfield,	Stevenson,
Dickerson,	Marshall,	Towles,
Elliott, J.	Mays,	Wade,
Elliott, M.	McArthur,	Walker,
English,	Meriwether,	Wheeler,
Fletcher,	Moore,	Wright—34.
Graves,		

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr Underwood,	-	-	-	-	-	-	-	43
For Mr. Metcalfe,	-	-	-	-	-	-	-	15
For Mr. Letcher,	-	-	-	-	-	-	-	37
For Mr. Hawes,	-	-	-	-	-	-	-	42

Mr. Hobbs moved the following resolution, viz:

Resolved by the Senate and House of Representatives, That the further consideration of the joint order of the day be deferred until to-morrow 12 o'clock.

The rule requiring joint resolutions to lie one day on the table having been dispensed with,

The said resolution was then twice read and adopted.

Mr. Wade moved the following resolution, viz:

Resolved, That the committee on Ways and Means be instructed to enquire into the propriety of increasing the pay of tax commissioners, for their extra service in ascertaining the number of qualified voters for 1847 and 1848.

Which was adopted.

A message was received from the Senate, announcing their concurrence in a resolution from this House, to suspend the election of a Senator till to-morrow at 12 o'clock.

And then the House adjourned.

FRIDAY, JANUARY 29, 1847.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House to a bill from the Senate, entitled, an act to add a part of the county of Hopkins to the county of Caldwell.

That they had passed bills from this House of the following titles, viz:

An act to extend the constable's district around the town of Murray, in Calloway county.

An act for the benefit of Conrad Havens.

An act for removing obstructions in Little Sandy river, and to extend the navigation thereof.

An act for the benefit of Charles W. Dean.

An act for the benefit of James McKenzie, and others.

An act for the benefit of James M. McMillen.

An act for the benefit of Lois Smallwood.

That they had passed bills of the following titles, viz:

An act to legalize the proceedings of the Christian county court.

An act for the benefit of the heirs of Daniel Barksdale, deceased.

An act to change the time of holding the Washington county court.

An act to change the time of holding the Pulaski circuit court, and for other purposes.

An act to incorporate the Kentucky Female Orphan School.

An act to permit flat boats and other crafts descending the navigable streams in this Commonwealth, from a point above the influence of slack water, to pass over the dams free of toll.

1. Mr. English presented the petition of William R. Morgan, praying the passage of a law authorizing the infant heirs of John D. Morgan, deceased, to convey certain lands descended to them.

2. Mr. Gilbert presented the petition of sundry citizens of Spencer county, praying that an additional Justice of the Peace be allowed to said county.

3. Mr. Harrison presented the petition of sundry citizens of the town of Hopkinsville, praying an amendment to the laws incorporating said town.

4. Mr. Pearl presented the petition of James Buford and Elizabeth F. Buford, his wife, praying the passage of a law to enable the said Elizabeth, who is under age, to join her husband in the conveyance of certain lands and slaves.

5. Mr. J. Irvine presented the remonstrance of sundry citizens of Louisville, against the change in the laws regulating the inspection of salt.

6. Mr. Graves presented the petition of W. F. Scanland, praying the passage of a law allowing him to renew his official bond, as surveyor of Marion county.

7. Mr. Covington presented the petition of Maria A. Peyton, praying to be divorced from her husband, Valentine W. Peyton.

8. Mr. Stevens presented the petition of sundry citizens of Caldwell county, praying a division of said county, and the formation of a new county out of part thereof.

9. Mr. Pearl presented the petition of sundry citizens of Laurel county, praying the passage of a law appropriating the proceeds of the vacant lands in said county, to the education of the poor children of said county.

10. Mr. Hobbs presented the petition of R. Gailbreath, &c., praying the passage of a law authorizing the sale of certain property belonging to the Baptist Church, in Jefferson county.

11. Mr. Pearl presented the petition of sundry citizens of Laurel county, praying an amendment to the laws regulating the tolls on the Wilderness Turnpike Road.

12. Mr. Fletcher presented the petition of sundry citizens of Bath county, praying the passage of a law authorizing a sale of the Upper White Oak Church, in said county.

13. Also, the petition of sundry citizens of Bath county, praying that an additional Justice of the Peace be allowed to said county.

14. Mr. W. S. Botts presented the petition of sundry citizens of Fleming county, and the memorial of Adam S. Crawford, praying that said Crawford, who has been found to be a lunatic, be allowed to remain at home, and that an appropriation be made for his support.

15. Mr. Wade presented the petition of sundry citizens of Bullitt county, praying that Preston F. Samuels, who is under age, may be made capable of holding the office of constable of said county.

16. Mr. Covington presented the petition of John W. Claypole, praying that his mills, on Bay's fork, in Allen county, be attached to the county of Warren.

17. Mr. Stevenson presented the petition of H. Dubacker, praying an act of incorporation of the German Benevolent Society, in the city of Covington.

18. Mr. Brown presented the petition of Letitia Cofer, widow of Thomas Cofer, deceased, and others, praying the confirmation of a sale of her dower slaves, and securing to her, her rights in the proceeds of sale.

19. Mr. Waller presented the petition of sundry citizens of Germantown, praying the incorporation of the Germantown Circulating Library Company.

Which were severally received, the reading thereof dispensed with, and referred: the 1st, 2d, 3d, 4th, 6th, 10th, 13th, 15th, 17th and 18th to the committee on the Judiciary; the 5th to the committee on Agriculture and Manufactures; the 8th and 16th to the committee on Propositions and Grievances; the 7th and 12th to the committee on Religion; the 9th and 19th to the committee on Education, and the 11th to the committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Rhea—1. A bill for the benefit of Benjamin Webb, of Logan county.

On the motion of Mr. Fletcher—2. A bill for the benefit of the sheriff of the county of Bath.

On the motion of Mr. Reed—3. A bill to extend the constable's district, including the town of Frankfort.

On the motion of Mr. Graves—4. A bill for the benefit of William F. Scanland, surveyor of Marion county.

On the motion of Mr. Poor—5. A bill to amend the law concerning run-aways.

Ordered, That Messrs. Rhea, Pearl and Beeler prepare and bring in the 1st; Messrs. Fletcher, Pearl and Bowman the 2d; the committee on the Judiciary the 3d; Messrs. Graves, J. R. Jones and Bell the 4th, and Messrs. Poor, Rhea and Mansfield the 5th.

Mr. Brown, from the committee on Claims, to whom was referred a bill for the benefit of Squire Walters, reported the same without amendment.

On motion of Mr. McHenry,

Ordered, That said bill be laid on the table.

A bill from the Senate, entitled, an act for the benefit of Thomas Merimee and Prudence Shadburn, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

It was referred to the committee on Internal Improvement.

Mr. Brown, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of Levi Pendley, of Hopkins county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Brown, from the same committee, to whom was referred the petition of Levi Johnson; the petition of the jailer of Clay county, and the petition of E. W. Murphy and William Sibert, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Brown, from the same committee, to whom was referred a bill for the benefit of Augustine B. Offutt, reported the same without amendment.

Ordered, That said bill be engrossed, and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Brown, from the same committee, to whom was referred bills from this House of the following titles, viz:

A bill for the benefit of John Mitchell, H. G. Mitchell, and Leander Mitchell, of Warren county.

A bill for the benefit of Henry G. Mitchell, of Warren county.

Asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said bills be referred to the committee on Internal Improvement.

Mr. Crockett, from the committee on the Judiciary, to whom was referred the petition of sundry citizens of Marion county, praying that the Rolling Fork may be cleared out, asked to be discharged from the further consideration of said petition, which was granted.

Ordered, That said petition be referred to the committee on Internal Improvement.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Cobb—1. A bill for the benefit of James Renfro, of Knox county.

By Mr. Fletcher—2. A bill allowing an additional Justice of the Peace to the county of Bath.

By Mr. Bowman—3. A bill to reduce the price of vacant lands in Casey county.

By Mr. Stewart—4. A bill to change the district of Wesley Orear, a constable of Montgomery county.

By Mr. Hall—5. A bill to authorize the county court of Nicholas to change or discontinue a State road.

By Mr. Johnson—6. A bill for the benefit of the sheriff of Calloway county.

By Mr. Mayhall—7. A bill for the benefit of James Newton, late sheriff of Hancock county.

By Mr. Fletcher—8. A bill for the benefit of the sheriff of Bath county.

By Mr. Talbutt—9. A bill to extend the mechanics lien law, of the city of Louisville, to the counties of Bourbon, Christian, Madison, Livingston, Shelby, Scott and Carroll counties.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st and 5th were referred to the committee on Internal Improvement; the 2d, 3d, 4th, 6th and 9th were severally ordered to be engrossed and read a third time, and the 7th and 8th were referred to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 4th, 6th and 9th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Crockett, from the committee on the Judiciary, to whom was referred a bill to repeal the act, entitled, an act the better to protect the rights of married women, approved February, 1846, reported the same with an amendment as a substitute for said bill.

After some discussion had thereon the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

Mr. Crockett read, and laid on the table, the following resolution, viz:

Resolved by the Senate and House of Representatives, That if upon the second ballot to-day for United States Senator, no one of those in nomination for that office should receive a majority of the votes given, then, upon the succeeding ballots, the individual having the smallest number of votes upon each successive ballot, shall be dropped until a choice be made.

Mr. Crockett moved to dispense with the rule requiring joint resolutions to lie one day on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stevenson and Crockett, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Gilbert,	Procter,
Beeler,	Haggard,	Purdom,
Bell,	Hanson,	Reed,
Botts, A. G.	Harrison,	Smith,
Bowman,	Hay,	Thomas,
Bowmar,	Hobbs,	White,
Boyd,	Hoy,	Williams,
Bradford,	Mayhall,	Wortham,
Cobb,	McHenry,	Young—29.
Crockett,	Munford,	

Those who voted in the negative, were—

Mr. Speaker,	Hager,	Pearl,
Messrs. Abell,	Hall,	Phillips,
Alnut,	Hord,	Poor,
Armstrong,	Ireland,	Rhea,
Botts, W. S.	Irvine, D.	Riddle,
Brown,	Irvine, J.	Rouse,
Bush,	Johnston,	Salter,
Clarke,	Jones, J. R.	Soery,
Coleman,	Jones, W. L.	Spalding,
Crawford,	Jordan,	Spurr,
Covington,	Manfield,	Stevens,
Desha,	Martin,	Stevenson,
Devereux,	Mays,	Stewart,
Dickerson,	McArthur,	Talbutt,
Durbin,	McCallister,	Tandy,
Elliott, J.	Meriwether,	Thompson,
Elliott, M.	Mitchell,	Towles,
English,	Moore,	Vertress,
Evans,	Morton,	Wade,
Fletcher,	Oglesby,	Walker,
Foley,	Owens,	Waller,
Graves,	Page,	Wright—66.

A message was received from the Senate by Mr. James, announcing that they were now ready to proceed to the election of a Senator in Congress, in pursuance of the joint resolution.

The vote was then taken between those remaining on nomination on yesterday, and it stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Gilbert,	Owens,
Beeler,	Glenn,	Page,
Bell,	Haggard,	Poor,
Bowman,	Harrison,	Purdom,
Bowmar,	Hay,	Reed,
Bradford,	Hoy,	Rhea,
Clarke,	Mayhall,	Smith,
Cobb,	McCallister,	Soery,
Crockett,	McHenry,	Waller,
Covington,	Munford,	Young—31.
Evans,		

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hord,	Thomas,
Botts, W. S.	Jordan,	Thompson,
Crawford,	Phillips,	Vertress,
Durbin,	Procter,	Williams,
Hall,	Talbutt,	Wortham—16.
Hanson,		

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hobbs,	Salter,
Messrs. Boyd,	Irvine, D.	Spurr,
Brown,	Jones, W. L.	Stewart,
Bush,	Martin,	Tandy,
Devereux,	Mitchell,	White—17.
Foley,	Pearl,	

Those who voted for Hawes, were—

Messrs. Abell,	Graves,	Morton,
Alnut,	Hager,	Oglesby,
Armstrong,	Ireland,	Riddle,
Board,	Irvine, J.	Rouse,
Coleman,	Johnston,	Spalding,
Desha,	Jones, J. R.	Stevens,
Dickerson,	Mansfield,	Stevenson,
Elliott, J.	Mays,	Towles,
Elliott, M.	McArthur,	Wade,
English,	Meriwether,	Walker,
Fletcher,	Moore,	Wright—33.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	39
For Mr. Metcalfe,	-	-	-	-	-	-	23
For Mr. Letcher,	-	-	-	-	-	-	29
For Mr. Hawes,	-	-	-	-	-	-	43

Mr. Procter then withdrew the nomination of Mr. Metcalfe.

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Gilbert,	Page,
Beeler,	Glenn,	Poor,
Bell,	Haggard,	Purdom,
Botts, A. G.	Harrison,	Reed,
Bowman,	Hay,	Rhea,
Bowmar,	Hord,	Smith,
Bradford,	Hoy,	Soery,
Clarke,	Mayhall,	Thomas,
Cobb,	McCallister,	Vertress,
Crockett,	McHenry,	Waller,
Covington,	Munford,	Williams,
Durbin,	Oglesby,	Wortham,
Evans,	Owens,	Young—39.

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hall,	Procter,
Messrs. Botts, W. S.	Hanson,	Riddle,
Boyd,	Hobbs,	Salter,
Brown,	Irvine, D.	Spurr,
Bush,	Jones, W. L.	Stewart,
Crawford,	Jordan,	Talbutt,
Devereux,	Martin,	Tandy,
Elliott, J.	Mitchell,	Thompson,
Fletcher,	Pearl,	White—29.
Foley,	Phillips,	

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Morton,
Alnut,	Ireland,	Rouse,
Armstrong,	Irvine, J.	Spalding,
Board,	Johnston,	Stevens,
Coleman,	Jones, J. R.	Stevenson,
Desha,	Mansfield,	Towles,
Dickerson,	Mays,	Wade,
Elliott, M.	McArthur,	Walker,
English,	Meriwether,	Wright—29.
Graves,	Moore,	

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood, -	-	-	-	-	-	50
For Mr. Letcher, -	-	-	-	-	-	49
For Mr. Hawes, -	-	-	-	-	-	35

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Glenn,	Poor,
Beeler,	Haggard,	Purdom,
Bell,	Harrison,	Reed,
Botts, A. G.	Hay,	Rhea,
Bowman,	Hord,	Smith,
Bowmar,	Hoy,	Soery,
Bradford,	Mayhall,	Thomas,
Clarke,	McCallister,	Vertress,
Cobb,	McHenry,	Waller,
Crockett,	Munford,	Williams,
Covington,	Oglesby,	Wortham,
Evans,	Owens,	Young—38.
Gilbert,	Page,	

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hall,	Procter
Messrs. Botts, W. S.	Hanson,	Riddle,
Boyd,	Hobbs,	Salter,
Brown,	Irvine, D.	Spurr,
Bush,	Jones, W. L.	Stewart,
Devereux,	Jordan,	Talbutt,
Durbin,	Martin,	Tandy,
Elliott, J.	Mitchell,	Thompson,
Fletcher,	Pearl,	Walker,
Foley,	Phillips,	White—30.

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Graves,	Moore,
Alnut,	Hager,	Morton,
Armstrong,	Ireland,	Rouse,
Board,	Irvine, J.	Spalding.
Coleman,	Johnston,	Stevens,
Crawford,	Jones, J. R.	Stevenson,
Desha,	Mansfield,	Towles,
Dickerson,	Mays,	Wade,
Elliott, M.	McArthur,	Wright—29.
English,	Meriwether,	

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	49
For Mr. Letcher,	-	-	-	-	-	-	50
For Mr. Hawes,	-	-	-	-	-	-	35

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Glenn,	Page,
Beeler,	Haggard,	Poor,
Bell,	Hall,	Purdum,
Botts, A. G.	Harrison,	Reed,
Bowman,	Hay,	Rhea,
Bowmar,	Hord,	Smith,
Bradford,	Hoy,	Soery,
Clarke,	Mayhall,	Thomas,
Cobb,	McCallister,	Vertress,
Crockett,	McHenry,	Waller,
Covington,	Munford,	Williams,
Durbin,	Oglesby,	Wortham,
Evans,	Owens,	Young—40.
Gilbert,		

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hanson,	Procter,
Messrs. Botts, W. S.	Hobbs,	Salter,
Boyd,	Irvine, D.	Spurr,
Brown,	Jones, W. L.	Stewart,
Bush,	Jordan,	Talbutt,
Crawford,	Martin,	Tandy,
Devereux,	Mitchell,	Thompson,
Elliott, J.	Pearl,	Walker,
Fletcher,	Phillips,	White—28.
Foley,		

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Morton,
Alnut,	Ireland,	Riddle,
Armstrong,	Irvine, J.	Rouse,
Board,	Johnston,	Spalding,
Coleman,	Jones, J. R.	Stevens,
Desha,	Mansfield,	Stevenson,
Dickerson,	Mays,	Towles,
Elliott, M.	McArthur,	Wade,
English,	Meriwether,	Wright—29.
Graves,	Moore,	

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood, -	-	-	-	-	-	-	52
For Mr. Letcher, -	-	-	-	-	-	-	48
For Mr. Hawes, -	-	-	-	-	-	-	35

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Glenn,	Poor,
Beeler,	Haggard,	Purdum,
Bell,	Harrison,	Reed,
Botts, A. G.	Hay,	Rhea,
Bowman,	Hord,	Smith,
Bowmar,	Hoy,	Soery,
Bradford,	Mayhall,	Thomas,
Clarke,	McCallister,	Vertress,
Cobb,	McHenry,	Waller,
Crockett,	Munford,	Williams,
Covington,	Ogelsby,	Wortham,
Evans,	Owens,	Young—38.
Gilbert,	Page,	

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Foley,	Phillips,
Messrs. Alnut,	Hall,	Procter,
Botts, W. S.	Hanson,	Riddle,
Boyd,	Hobbs,	Salter,
Brown,	Irvine, D.	Spurr,
Bush,	Jones, W. L.	Stewart,
Crawford,	Jordan,	Talbutt,
Devereux,	Martin,	Tandy,
Durbin,	Mitchell,	Thompson,
Elliott, J.	Pearl,	White—30.

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Morton,
Armstrong,	Ireland,	Rouse,
Board,	Irvine, J.	Spalding,
Coleman,	Johnston,	Stevens,
Desha,	Jones, J. R.	Stevenson,
Dickerson,	Mansfield,	Towles,
Elliott, M.	Mays,	Wade,
English,	McArthur,	Walker,
Fletcher,	Meriwether,	Wright—29.
Graves,	Moore,	

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood, -	-	-	-	-	-	49
For Mr. Letcher, -	-	-	-	-	-	49
For Mr. Hawes, -	-	-	-	-	-	35

And then the House adjourned.

SATURDAY, JANUARY 30, 1847.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act providing for the support of an additional number of pupils in the Deaf and Dumb Asylum, at Danville.

An act for the benefit of Uriah Pool.

An act for the benefit of the Trustees of Williamstown.

An act for the benefit of the Trustees of the town of Russellville.

An act concerning the jail of Shelby county, and for other purposes.

An act for the benefit of Fielding McDuffie.

With an amendment to the last.

That they had passed bills of the following titles, viz:

An act for the benefit of the heirs of Thomas Anderson, deceased.

An act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company.

An act for the benefit of Henry G. Mitchell, Leander A. Mitchell and John Mitchell.

An act for the benefit of Alfred Payne.

An act to change the Russell and Clinton county line.

An act to change the line, in part, between the counties of Boone and Kenton.

1. Mr. Wade presented the petition of the committee of Emily McDowell, a lunatic, praying the passage of a law authorizing a sale of certain real estate, belonging to said lunatic.

2. Mr. Haggard presented the petition of the clerk of the Cumberland county court, praying to be released from accounting for two pedler's license issued by him, and for which he did not receive the amount required to be paid him by law.

3. Mr. Alexander presented the remonstrance of sundry citizens of Meade county, against the formation of a new county out of parts thereof, and of the counties of Hardin, Bullitt and Jefferson.

4. Mr. Evans presented the petition of John Tanner, praying that he be made capable of receiving the appointment of clerk of the circuit court of Carter county, he being under age.

5. Mr. Rouse presented the petition of sundry citizens of the town of Walton, in Boone county and its vicinity, praying the establishment of an election precinct in said town.

Which were received, the reading thereof dispensed with, and referred: the 1st and 4th to the committee on the Judiciary; the 2d to the committee on Ways and Means; the 3d to the committee on Propositions and Grievances, and the 5th to the committee on Privileges and Elections.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Morgan Myers and wife.

An act for the benefit of Thomas Woodford.

An act to amend the law in relation to Trustees of towns.

An act to amend the road laws of Clarke county.

An act to provide for running and marking the dividing line between the counties of Campbell and Pendleton.

An act for the benefit of the heirs of David Mize, deceased.

An act for the benefit of George W. Cox.

An act to change the place of voting at an election precinct in Hopkins county.

An act for the benefit of Crittenden county court.

An act to amend an act, entitled, an act to amend the road law of Kenton.

An act to amend, in part, and repeal, in part, the act establishing a road from the mouth of Laurel river, through London, to Bates' Salt well, in Clay county.

An act for the benefit of John Crice.

An act to amend an act, entitled, an act for the benefit of Susan Ann D. Young, approved January 21, 1846.

An act to change the Spring term of the Jessamine circuit courts.

And bills which originated in the Senate of the following titles, viz :

An act to add a part of the county of Hopkins to the county of Caldwell.

An act authorizing the Board of Internal Improvement to compromise and settle with Simpson Stout.

An act to incorporate the Paris Cemetery Company.

An act authorizing a settlement with the Board of Internal Improvement.

An act to incorporate the Grand Division of Sons of Temperance of Kentucky.

An act for the benefit of the Trustees and citizens of the town of Princeton, in Caldwell county.

An act for the benefit of State Historical Societies in the United States.

An act to organize the Flemingsburg Fire Engine and Hose Company.

An act to amend an act, entitled, an act for the benefit of David A. Sayre.

An act to incorporate the Trustees of the Clinton county Academy.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Leave was given to bring in the following bills, viz :

On the motion of Mr. Alaut—1. A bill to prevent the obstruction of the passage of fish, at the mouth of Eagle creek, in Owen and Carroll counties.

On the motion of Mr. Jordan—2. A bill for the benefit of the mechanics of Harrodsburg, in Mercer county.

On the motion of Mr. Wheeler—3. A bill to amend the divorce law.

On the motion of Mr. Smith—4. A bill for the benefit of John D. Gilmore.

On the motion of Mr. Crockett—5. A bill to incorporate the Presbyterian Church, of Paducah.

On the motion of same—6. A bill to authorize the sale of seminary lands belonging to the county of McCracken.

Ordered, That Messrs. Alnut, English and Haggard prepare and bring in the 1st; the committee on the Judiciary the 2d and 3th; the committee on Religion the 3d; Messrs. Smith, Crockett and Mayhall the 4th, and the committee on Education the 6th.

Mr. Bell asked leave to withdraw the petition of Lucinda J. Harris, which was granted, and the same was withdrawn.

On motion of Mr. Bell,

Ordered, That leave of absence until Tuesday next be granted to Mr. Desha.

Mr. Cobb, from the committee appointed to prepare and bring in the same, reported a bill allowing additional Justices of the Peace to Knox, Cumberland, Green and Spencer counties.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate by Mr. James, announcing that they were now ready to proceed to the election of a Senator in Congress.

The vote was then taken between those remaining on nomination on yesterday, and it stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Gilbert,	Page,
Beeler,	Glenn,	Poor,
Bell,	Haggard,	Purdom,
Botts, A. G.	Harrison,	Reed,
Bowman,	Hay,	Rhea,
Bowmar,	Hord,	Smith,
Boyd,	Hoy,	Soery,
Bradford,	Jones, J. R.	Thomas,
Clarke,	Mayhall,	Vertress,
Cobb,	McCallister,	Waller,
Crockett,	McHenry,	Williams,
Covington,	Munford,	Wortham,
Durbin,	Owens,	Young—40.
Evans,		

Those who voted for Mr. Letcher, were—

Mr. Speaker.	Hobbs,	Salter,
Messrs. Botts, W. S.	Irvine, D.	Spurr,
Brown,	Jones, W. L.	Steele,
Bush,	Jordan,	Stewart,
Crawford,	Martin,	Talbutt,
Devereux,	Mitchell,	Tandy,
Foley,	Pearl,	Thompson,
Hall,	Phillips,	White—26.
Hanson,	Procter,	

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Riddle,
Alnut,	Ireland,	Rouse.
Armstrong,	Irvine, J.	Spalding,
Board,	Johnston,	Stevens,
Coleman,	Mansfield,	Stevenson,
Dickerson,	Marshall,	Towles,
Elliott, J.	Mays,	Wade,
Elliott, M.	McArthur,	Walker,
English,	Meriwether,	Wheeler,
Fletcher,	Moore,	Wright—32.
Graves,	Oglesby,	

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr Underwood,	-	-	-	-	-	-	-	50
For Mr. Letcher,	-	-	-	-	-	-	-	45
For Mr. Hawes,	-	-	-	-	-	-	-	39

No one on nomination having received a majority of all the votes given, Mr. Procter again nominated Mr. Thomas Metcalfe.

And after interchanging nominations, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Haggard,	Page,
Beeler,	Harrison,	Poor,
Bell,	Hay,	Purdorn,
Bowman,	Hoy,	Reed,
Bowmar,	Jones, J. R.	Rhea,
Clarke,	Mayhall,	Smith,
Cobb,	McCallister,	Soery,
Crockett,	McHenry,	Vertress,
Covington,	Moore,	Waller,
Evans,	Munford,	Williams,
Gilbert,	Oglesby,	Wortham,
Glenn,	Owens,	Young—36.

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Irvine, D.	Salter,
Messrs. Botts, W. S.	Jones, W. L.	Spurr,
Brown,	Jordan,	Stewart,
Bush,	Martin,	Tandy,
Devereux,	Mitchell,	Thompson,
Foley,	Pearl,	White—20.
Hobbs,	Phillips,	

Those who voted for Hawes, were—

Messrs. Abell,	Ireland,	Rouse,
Alnut,	Irvine, J.	Spalding,
Armstrong,	Johnston,	Stevens,
Board,	Mansfield,	Stevenson,
Coleman,	Marshall,	Towles,
Dickerson,	Mays,	Wade,
Elliott, J.	McArthur,	Walker,
English,	Meriwether,	Wheeler,
Fletcher,	Riddle,	Wright—28.
Hager,		

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Elliott, M.	Procter,
Boyd,	Graves,	Steele,
Bradford,	Hall,	Talbutt,
Crawford,	Hanson,	Thomas—14.
Durbin,	Hord,	

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	45
For Mr. Letcher,	-	-	-	-	-	-	38
For Mr. Hawes,	-	-	-	-	-	-	32
For Mr. Metcalfe,	-	-	-	-	-	-	19

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Glenn,	Poor,
Beeler,	Haggard,	Purdum,
Bell,	Harrison,	Reed,
Bowman,	Hay,	Rhea,
Bowmar,	Hoy,	Smith,
Clarke,	Jones, J. R.	Soery,
Cobb,	McHenry,	Vertress,
Crawford,	Munford,	Waller,
Crockett,	Oglesby,	Williams,

Covington,
Evans,
Gilbert,

Owens,
Page,

Wortham,
Young—34.

Those who voted for Mr. Letcher, were—

Mr. Speaker,
Messrs. Botts, W. S.
Brown,
Bush,
Devereux,
Elliott, M.
Foley,
Graves,

Hobbs,
Irvine, D.
Jones, W. L.
Jordan,
Martin,
Mayhall,
Mitchell,
Pearl,

Phillips,
Salter,
Spurr,
Stewart,
Tandy,
Thompson,
White—23.

Those who voted for Mr. Hawes, were—

Messrs. Abell,
Alnut,
Armstrong,
Bradford,
Coleman,
English,
Fletcher,
Hager,
Ireland,

Irvine, J.
Johnston,
Mansfield,
Marshall,
Mays,
McArthur,
Meriwether,
Moore,
Riddle,

Rouse,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,
Wheeler,
Wright—27.

Those who voted for Mr. Metcalfe, were—

Messrs. Board,
Botts, A. G.
Boyd,
Dickerson,
Durbin,

Elliott, J.
Hall,
Hanson,
Hord,
McCallister,

Procter,
Steele,
Talbutt,
Thomas—14.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	42
For Mr. Letcher,	-	-	-	-	-	-	43
For Mr. Hawes,	-	-	-	-	-	-	31
For Mr. Metcalfe,	-	-	-	-	-	-	18

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,
Beeler,
Bell,
Bowman,
Bowmar,

Graves,
Haggard,
Harrison,
Hay,
Hoy,

Owens,
Page,
Poor,
Purdom,
Read,

Bradford,	Jones, J. R.	Rhea,
Clarke,	Mansfield,	Smith,
Cobb,	Mayhall,	Soery,
Crockett,	McCallister,	Vertress,
Covington,	McHenry,	Waller,
Evans,	Moore,	Williams,
Gilbert,	Munford,	Wortham,
Glenn,	Oglesby,	Young—39.

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hanson,	Phillips,
Messrs. Botts, W. S.	Hobbs,	Salter,
Brown,	Irvine, D.	Spurr,
Bush,	Jones, W. L.	Stewart,
Crawford,	Jordan,	Tandy,
Devereux,	Martin,	Thompson,
Elliott, J.	Mitchell,	White—23.
Foley,	Pearl,	.

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Rouse,
Alnut,	Ireland,	Spalding.
Armstrong,	Irvine, J.	Stevens,
Board,	Johnston,	Stevenson,
Coleman,	Marshall,	Towles,
Dickerson,	Mays,	Wade,
Elliott, M.	McArthur,	Walker,
English,	Meriwether,	Wheeler,
Fletcher,	Riddle,	Wright—27.

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hall,	Steele,
Boyd,	Hord,	Talbutt,
Durbin,	Procter	Thomas—9.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	48
For Mr. Letcher,	-	-	-	-	-	-	43
For Mr. Hawes,	-	-	-	-	-	-	30
For Mr. Metcalfe,	-	-	-	-	-	-	12

On motion of Mr. Hobbs,

Ordered, That the further balloting be suspended until Monday 12 o'clock.

Ordered, That Mr. Meriwether inform the Senate thereof.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to amend the penal laws.

An act to amend an act to incorporate the Bank Lick Turnpike Road Company.

An act to authorize the Chancellor of the Louisville Chancery Court to sign law license.

An act for the benefit of the sheriff and late clerk of the county of Clay.

An act to amend an act, entitled, an act for the benefit of the Trustees of the town of Bowlinggreen.

An act for the benefit of Fielding McDuffie.

An act to change the spring and fall terms of the Warren circuit court.

Were taken up, twice read, and concurred in.

Bills from the Senate, of the following titles, viz:

1. An act for the benefit of the Anderson Infantry.

2. An act for the benefit of the heirs of Isaac Sprake, deceased.

3. An act for the benefit of Ann Daviess and her children.

4. An act for the benefit of Nancy Pointer.

5. An act for the benefit of the heirs of David Ramsey, deceased, of Hickman county.

6. An act for the benefit of Isham Thomas.

7. An act for the benefit of James Miller, of Adair county.

8. An act to incorporate the Springfield Lodge, and the Washington Royal Arch Chapter.

9. An act to amend the law in relation to binding out poor children in this Commonwealth.

10. An act for the benefit of Silas M. Berry and others.

11. An act to add an additional term to the Mason, Adair and Fleming circuit courts.

12. An act to amend the law in relation to summoning guards.

13. An act for the benefit of James P. Tyler, of Fulton county.

14. An act regulating the sales of forfeited lands, and applying the statute of limitation in certain cases

15. An act to legalize the proceedings of the Henderson county court, held 4th Monday in June, 1846.

16. An act for the benefit of the heirs of John Frazier, deceased.

17. An act to incorporate the town of Harrisonville, in Shelby county.

18. An act for the benefit of the heirs of S. H. Anderson, deceased.

19. An act for the benefit of William P. Mitchell.

20. An act giving additional powers to the Trustees of the town of Princeton, in Caldwell county, and for other purposes.

21. An act to regulate the number of Justices of the Peace in the town of Greensburgh.

22. An act to change the place of voting from Seaton Lee's, in Pulaski county, and for other purposes.

23. An act to incorporate the Trustees of the Presbyterian Church, in Frankfort.

24. An act making an appropriation for having the remains of the late Philip Norbourn Barbour brought to Kentucky for interment.

25. An act to establish a road from Rochester, at the mouth of Muddy river, to Russellville.

26. An act to divorce John S. Petty.

27. An act to provide for a change of venue in the prosecution against Richard S. Mason.

28. An act for the benefit of the town of Winchester.

29. An act to provide for a change of venue in the prosecution against Polly Fenton.

30. An act for the benefit of Bernard Simpson and wife, and William Bailey, of Adair county.

31. An act for the benefit of George Dixon, of Nelson county.

32. An act for the benefit of Samuel D. McCullough and his securities.

33. An act for the benefit of William G. Connel, surveyor of Trimble county.

34. An act for the benefit of James Jenkins, of Warren county.

35. An act to legalize the proceedings of the Christian county court.

36. An act for the benefit of the heirs of Daniel Barksdale, deceased.

37. An act to change the time of holding the Pulaski circuit court, and for other purposes.

38. An act to incorporate the Kentucky Female Orphan School.

39. An act to permit flat boats and other crafts descending the navigable streams in this Commonwealth, from a point above the influence of slack water, to pass over the dams free of toll.

40. An act for the benefit of the heirs of Thomas Anderson, deceased.

41. An act for the benefit of the Lexington, Harrodsburgh and Perryville Turnpike Company.

42. An act for the benefit of Henry G. Mitchell, Leander A. Mitchell and John Mitchell.

43. An act for the benefit of Alfred Payne.

44. An act to change the Russell and Clinton county line.

45. An act changing the line, in part, between the counties of Boone and Kenton.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st, 5th, 15th, 25th, 30th, 33d, 35th and 37th were severally ordered to be read a third time; the 2d, 3d, 4th, 8th, 9th, 10th, 11th, 12th, 14th, 16th, 17th, 18th, 19th, 20th, 21st, 23d, 27th, 29th, 31st, 36th, 40th and 43d were referred to the committee on the

Judiciary; the 6th, 34th, 39th, 41st and 42d to the committee on Internal Improvement; the 7th, 24th and 28th to the committee on Ways and Means; the 13th to the committee on Claims; the 22d to the committee on Privileges and Elections; the 26th to the committee on Religion; the 32d to the committee on Military Affairs; the 38th to the committee on Education, and the 44th and 45th to the committee on Propositions and Grievances.

The rule of the House, constitutional provision and third reading of the 1st, 5th, 15th, 35th, 30th, 33d, 35th and 37th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, viz:

1. An act allowing an additional Justice of the Peace to Henry county.

2. An act to change the time of holding the Washington county court.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The said bills were amended.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the title of the first be amended to read as follows: "An act allowing an additional Justice of the Peace and constable to Henry county," and that the title of the second be as aforesaid.

The House then took up the resolutions from the Senate, in relation to a modification of the tariff laws, so as to admit duty free, books, &c., imported for the use of colleges and schools.

Ordered, That said resolutions be referred to the committee on Federal Relations.

And then the House adjourned.

MONDAY, FEBRUARY 1, 1847.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act to allow additional Justices of the Peace to the counties of Pendleton and Hart.

An act to establish the town of Dycusburg, in the county of Crittenden.

An act for the benefit of Richard Myers, and to legalize the proceedings of the 17th Regiment of Kentucky Militia.

An act for the benefit of the sheriff of Estill county.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to incorporate the Kentucky State Colonization Society.

An act for the benefit of Martha Elizabeth Cleaveland.

An act to establish the town of Monterey, in Owen county.

An act to divorce Maria J. Shelby.

An act authorizing Robert Triplett and Alexander Barrett to bring certain slaves into this Commonwealth.

1. Mr. Haggard presented the petition of sundry citizens of Green county, praying a division of said county, and the formation of a new county out of part thereof.

2. Mr. Hager presented the petition of David D. Honaker and David Robinson, praying that compensation may be made them for apprehending a fugitive from justice.

3. Also, the petition of Thomas D. Honaker, praying that compensation be made him for apprehending a fugitive from justice.

4. Mr. Hoy presented the petition of sundry citizens of Logan county, praying to be added to the county of Simpson.

5. Mr. McHenry presented the petition of sundry citizens of Harrisonville, in Shelby county, praying that an additional Justice of the Peace be allowed to said county.

6. Mr. W. S. Botts presented the memorial of C. C. Lane, upon the subject of a geological survey of the State.

7. Mr. McArthur presented the petition of L. M. Eckert and William Scott, praying that compensation be made them for conveying a lunatic to the Asylum.

8. Also, the petition of H. H. Mayo, praying the passage of a law confirming a sale of certain slaves belonging to the heirs of Mrs. ——— Lewis, deceased.

9. Mr. Crawford presented the petition of sundry citizens of Carter county, praying that an additional Justice of the Peace be allowed to said county.

10. Mr. Rhea presented the remonstrance of sundry citizens of Logan county, against the addition of part of said county to Simpson county.

11. Mr. Covington presented the petition of Eliza Jane Donaldson, praying that she be permitted to assume her maiden name, of Eliza Jane Kelly.

12. Mr. Soery presented the petition of sundry citizens of Trigg county, praying the establishment of a State warehouse and inspection of tobacco.

13. Mr. Stevenson presented the petition of S. Robert, praying the passage of a law incorporating the Globe Manufacturing Company, in the city of Covington.

14. Mr. Meriwether presented the petition of Peter Funk, praying a change in the law in relation to working roads in Jefferson county.

15. Mr. Waller presented the petition of sundry citizens of Washington, in Mason county, praying the repeal of all laws authorizing the Trustees of said town to grant licenses to coffee houses.

16. Mr. M. Elliott presented the remonstrance of sundry citizens of Pulaski county, against the sale of a part of the public grounds belonging to said county, in the town of Somerset.

17. Mr. Riddle presented the petition of sundry citizens of Estill and Owsley counties, praying the establishment of a State road from Owsley court house to the Madison county line.

Which were severally received, the reading thereof dispensed with, (except the 6th which was read,) and referred: the 1st, 4th, 10th and 14th to the committee on Propositions and Grievances; the 2d, 3d and 7th to the committee on Claims; the 5th, 8th, 9th, 11th, 15th and 16th to the committee on the Judiciary; the 6th to the committee on Agriculture and Manufactures; the 12th to Messrs. Crockett, Young, Waller, Mansfield, Spalding, Haggard, Johnson, Soery and Board; the 13th to Messrs. Stevenson, McArthur and Waller, and the 17th to the committee on Internal Improvement.

Mr. Bush asked leave to withdraw the petition of sundry citizens of Clarke county, in relation to an election precinct, which was granted, and the same was withdrawn.

Mr. Morton asked leave to withdraw the petition of George Whitsell, which was granted, and the same was withdrawn.

Mr. Desha asked leave to withdraw the petition of Amanda J. Miller, which was granted, and the same was withdrawn.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Ireland—1. A bill to extend the constable's district, including the town of Williamstown, in Grant county.

On the motion of Mr. Foley—2. A bill to change the time of holding the Whitley circuit court.

On the motion of Mr. Wheeler—3. A bill to extend the law for the benefit of Martin Fugate, of Pendleton county.

On the motion of Mr. Boyd—4. A bill to define the powers of Justices in cases of attachment.

On the motion of Mr. Tandy—5. A bill to amend the law in reference to the imprisonment of fugitives or runaway slaves.

On the motion of Mr. Alnut—6. A bill making an appropriation to build a bridge across Eagle creek, in Owen county.

Ordered, That Messrs. Ireland, Johnson and Wade prepare and bring in the 1st; Messrs. Foley, Armstrong and White the 2d; Messrs. Wheeler, Desha and Durbin the 3d; the committee on the Judiciary the 4th and 5th, and Messrs. Alnut, Ireland and Tandy the 6th.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. McArthur—1. A bill to amend the charter of the town of Newport.

By the committee on the Judiciary—2. A bill to amend the law in reference to guardians and wards.

By same—3. A bill to incorporate a company to be called the Ohio Line. Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st was referred to the committee on the Judiciary, and the 2d and 3d were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 2d and 3d bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House again resumed the consideration of the bill to repeal the act, entitled, an act the better to protect the rights of married women, approved February, 1846, and the amendment proposed thereto by the committee on the Judiciary as a substitute for said bill.

Ordered, That said bill and amendment be referred to a committee of the whole and made the special order of the day for Friday, the 5th instant, and that the Public Printer forthwith print 150 copies of said bill and amendment for the use of the members of the General Assembly.

A message was received from the Governor, by Mr. Kinkead, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of Louisa M. Garesche and others.

An act for the benefit of James S. Chrisman and wife.

Approved January 27, 1847.

An act to change the time of holding the Garrard and Boyle circuit courts, and the Madison chancery court.

Approved January 28, 1847.

An act to change the time of holding the spring term of the Jessamine circuit court.

An act to amend an act, entitled, an act for the benefit of Susan Ann D. Young, approved January 21, 1846.

An act for the benefit of John Crice.

An act to amend, in part, and repeal, in part, the act establishing a road from the mouth of Laurel river, through London, to Bates' Salt well, in Clay county.

An act for the benefit of Morgan Myers and wife.

An act for the benefit of Thomas Woodford.

An act to amend the law in relation to the Trustees of towns.

An act to amend the road law of Clarke county.

An act for the benefit of Crittenden county court.

An act to amend an act, entitled, an act to amend the road law of Kenton.

An act to change the place of voting at an election precinct in Hopkins county.

An act for the benefit of George W. Cox.

An act for the benefit of the heirs of David Mize, deceased.

An act to provide for running and marking the dividing line between the counties of Campbell and Pendleton.

Approved January 30, 1847.

Mr. Crockett, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:

1. An act for the benefit of Rebecca Morrison and the heirs of Joseph A. Morrison, deceased.

2. An act to amend an act, entitled, an act to incorporate the Grand Lodge of the Independent Order of Odd Fellows of the State of Kentucky, approved February 16, 1838.

3. An act better to define the duties of surveyors in this Commonwealth.

4. An act for the benefit of Zattee Cushing.

Reported the 1st, 2d and 4th without, and the 3d with, an amendment, which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Crockett, from the same committee, to whom was referred a bill from the Senate, entitled, an act to repeal the law authorizing deeds to be recorded in the office of the Court of Appeals and General Court, reported the same without amendment.

Ordered, That said bill be recommitted to the committee on the Judiciary.

Mr. Crockett, from the same committee, to whom was referred bills from the Senate of the following titles, viz:

An act to simplify the authentication of foreign deeds and other instruments.

An act for the benefit of Mrs. Louisa V. Newman.

An act regulating judgments for costs in actions brought by executors and administrators.

Reported the same without amendment.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative, and so the said bills were disagreed to.

The House then took up the resolution read and laid on the table by Mr. Crockett, on Friday last.

Mr. Hobbs proposed the following as a substitute for said resolution, viz:

WHEREAS, the Legislature of Kentucky has been occupied for nearly the whole time during the last six days, in unsuccessful efforts to elect a U. S. Senator, which has almost entirely prevented the progress of other business—thereby greatly increasing the expenses of the present session of the Legislature—and from the present prospects there is no probability of an election being made for many days, (if at all,) during the present session, unless some plan be adopted by the House, by which some of the candidates shall be withdrawn; and, inasmuch as the friends of the various candidates seem determined not to yield, but to adhere to their respective friends: therefore,

Be it resolved, &c., That under a sense of duty to our constituents, to the despatch of business, and a speedy adjournment of the Legislature, after the first ballot on this day, the candidate having the smallest number of votes shall be dropped on each successive ballot, until an election is had.

Which Mr. Crockett accepted.

Mr. McHenry moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Crockett and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Hager,	Page,
Alexander,	Hall,	Pearl,
Alnut,	Harrison,	Poor,
Board,	Hord,	Purdum,
Bowman,	Hoy,	Reed,
Bowmar,	Ireland,	Riddle,
Cobb,	Irvine, J.	Rouse,
Coleman,	Johnston,	Soery,
Covington,	Jones, J. R.	Spalding,
Desha,	Jordan,	Steele,
Dickerson,	Manfield,	Stevens,
Durbin,	Marshall,	Stevenson,
Elliott, J.	Mays,	Talbutt,
Elliott, M.	McArthur,	Thomas,
English,	McHenry,	Towles,

Evans,	Meriwether,	Vertress,
Fletcher,	Moore,	Wade,
Gilbert,	Morton,	Wheeler,
Glenn,	Munford,	Williams,
Graves,	Oglesby,	Wright—62.
Haggard,	Owens,	

Those who voted in the negative, were—

Mr. Speaker,	Foley,	Rhea,
Messrs. Beeler,	Hanson,	Salter,
Bell,	Hay,	Smith,
Botts, A. G.	Hobbs,	Spurr,
Botts, W. S.	Irvine, D.	Stewart,
Boyd,	Jones, W. L.	Tandy,
Brown,	Martin,	Thompson,
Bush,	Mayhall,	Waller,
Clarke,	McCallister,	White,
Crawford,	Mitchell,	Wortham,
Crockett,	Phillips,	Young—35.
Devereux,	Procter,	

Mr. Hanson read and laid on the table the following resolution, viz:

Resolved by the Senate and House of Representatives, That on to-morrow, after the first ballot for Senator, the hindmost of the candidates shall be dropped, and so on until an election is effected.

A message was received from the Senate, by Mr. Peyton, announcing that they were now ready to proceed to the election of a Senator in Congress.

The vote was then taken between those remaining on nomination on Saturday, and it stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Glenn,	Purdom,
Beeler,	Haggard,	Reed,
Bell,	Harrison,	Rhea,
Bowman,	Hay,	Smith,
Bowmar,	Hoy,	Soery,
Boyd,	Mayhall,	Thomas,
Clarke,	McCallister,	Vertress,
Cobb,	McHenry,	Waller,
Crockett,	Munford,	Williams,
Covington,	Owens,	Wortham,
Evans,	Page,	Young—35.
Gilbert,	Poor,	

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hobbs,	Phillips,
Messrs. Botts, W. S.	Irvine, D.	Salter,
Brown,	Jones, W. L.	Spurr,
Bush,	Jordan,	Stewart,
Crawford,	Martin,	Tandy,
Devereux,	Mitchell,	Thompson,
Foley,	Pearl,	White—21.

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Hager,	Morton,
Alnut,	Ireland,	Oglesby,
Board,	Irvine, J.	Riddle,
Coleman,	Johnston,	Rouse,
Desha,	Jones, J. R.	Spalding,
Dickerson,	Mansfield,	Stevens,
Elliott, J.	Marshall,	Stevenson,
Elliott, M.	Mays,	Towles,
English,	McArthur,	Wade,
Fletcher,	Meriwether,	Wheeler,
Graves,	Moore,	Wright—33.

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hanson,	Steele,
Durbin,	Hord,	Talbutt—8.
Hall,	Procter,	

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	43
For Mr. Letcher,	-	-	-	-	-	-	38
For Mr. Hawes,	-	-	-	-	-	-	42
For Mr. Metcalfe,	-	-	-	-	-	-	11

On motion of Mr. Crockett,

Resolved, That after the next ballot the election of a Senator in Congress be suspended until to-morrow at 12 o'clock.

Ordered, That Mr Crockett inform the Senate thereof.

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Gilbert,	Page,
Beeler,	Glenn,	Poor,
Bell,	Hager,	Purdum,
Botts, A. G.	Harrison,	Reed,
Bowman,	Hay,	Rhea,
Bowmar,	Hoy,	Smith,
Boyd,	Mayhall,	Soery,
Clarke,	McCallister,	Thomas,
Cobb,	McHenry,	Vertress,
Crockett,	Munford,	Waller,
Covington,	Oglesby,	Wortham,
Evans,	Owens,	Young—36.

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hobbs,	Riddle,
Messrs. Botts, W. S.	Ireland,	Salter,
Brown,	Irvine, D.	Spurr,
Bush,	Jones, W. L.	Steele,
Crawford,	Martin,	Stewart,
Devereux,	Mitchell,	Tandy,
Elliott, J.	Pearl,	White,
Foley,	Phillips,	Williams—25.
Hanson,		

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Haggard,	Moore,
Alnut,	Irvine, J.	Morton,
Board,	Johnston,	Rouse,
Coleman,	Jones, J. R.	Spalding,
Desha,	Jordan,	Stevens,
Dickerson,	Mansfield,	Stevenson,
Elliott, M.	Marshall,	Towles,
English,	Mays,	Wade,
Fletcher,	McArthur,	Wright—29.
Graves,	Meriwether,	

Those who voted for Mr. Metcalfe, were—

Messrs. Durbin,	Procter,	Thompson,
Hall,	Talbutt,	Wheeler—7.
Hord,		

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	46
For Mr. Letcher,	-	-	-	-	-	-	45
For Mr. Hawes,	-	-	-	-	-	-	33
For Mr. Metcalfe,	-	-	-	-	-	-	11

On the motion of Mr. Stevenson,

Ordered, That the Public Printer forthwith print 1000 copies of the report of the committee on Executive Affairs, for the use of the members of this House.

And then the House adjourned.

TUESDAY, FEBRUARY 2, 1847.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act allowing an additional Justice of the Peace to Henry county.

An act to change the time of holding the Washington county court.

That they had passed bills from this House of the following titles, viz:

An act for the benefit of Sophia Catharine Backman.

An act to incorporate the Covington Collegiate Institute.

An act to reduce the price of vacant lands in Casey county.

That they had passed bills of the following titles, viz:

An act to amend the common school law.

An act to take from the General Court jurisdiction in certain cases.

An act to give further time to make surveys and return plats and certificates, on Kentucky Land Office warrants, to the Register's Office.

An act to provide for a change of venue in the prosecution against Joseph H. Coleman.

An act for the benefit of Elizabeth Bault, of Adair county.

An act for the benefit of John D. Blackford.

An act to allow an additional constable to Anderson county.

An act to authorize the Trustees of the New Athens Seminary, in Greensburg, to convey the same to the Trustees of said town.

That they had received official information from the Governor, announcing that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act allowing a special term of the Green circuit court.

An act for the benefit of the surveyor of Marshall county.

Approved January 28, 1847.

An act to incorporate the Trustees of the Clinton county Academy.

An act to incorporate the Grand Division of Sons of Temperance of Kentucky.

An act to organize the Flemingsburg Fire Engine and Hose Company.

An act to amend an act, entitled, an act for the benefit of David A. Sayre.

An act authorizing the Board of Internal Improvement to compromise and settle with Simpson Stout.

An act authorizing a settlement with the Board of Internal Improvement.

An act to incorporate the Paris Cemetery Company.

An act for the benefit of the Trustees and citizens of the town of Princeton, in Caldwell county.

An act to add a part of the county of Hopkins to the county of Caldwell.

Approved January 30, 1847.

1. Mr. Crockett presented the petition of James G. Chism and Amanda Chism, administrators of H. K. Chism, deceased, praying the passage of a law authorizing a sale of certain real estate of said deceased.

2. Mr. Bell presented the petition of James C. Rogers, praying a change of the name of the town called Pincheio to that of Rogersville.

3. Mr. Haggard presented the petition of sundry citizens of Cumberland county, praying that the middle term of the circuit court of said county may be restored.

4. Mr. Spalding presented the petition of sundry citizens of the town of Morganfield, in Union county, praying an extension of the jurisdiction of the Police Judge of said town.

5. Mr. Stevenson presented the petition of Willis Hoffman, praying a correction of the boundary of the town of Independence.

Which were received, the reading thereof dispensed with, and referred: the 1st, 3d and 4th to the committee on the Judiciary; the 2d to Messrs. Bell, Bowman, Wortham and Smith, and the 5th to the committee on Internal Improvement.

Mr. Reed presented the memorial of Philip Swigert and William R. McKee, Lessees of the Lexington and Ohio Railroad, in relation to their lease and the management of said road.

Which was received, the reading thereof dispensed with, and referred to the committee on Internal Improvement.

Ordered, That the Public Printer forthwith print 150 copies of said memorial for the use of the members of the General Assembly.

Mr. English asked leave to bring in a bill to repeal an act, entitled, an act prohibiting the importation of slaves into this State, approved February 2d, 1833.

And the question being taken on granting the leave, it was decided in the negative.

The yeas and nays being required thereon by Messrs. English and Hager, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,
Alexander,
Bell,
Board,

Fletcher,
Glenn,
Hager,
Hord,

Owens,
Pearl,
Soery,
Spalding,

Coleman,
Crockett,
Elliott, J.
Elliott, M.
English,

Ireland,
Johnston,
Mansfield,
Mays,
Morton,

Stevens,
Wade,
Walker,
Wheeler,
Young—27.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Beeler,
Botts, A. G.
Bowman,
Bush,
Clarke,
Covington,
Desha,
Dickerson,
Durbin,
Evans,
Gilbert,
Hanson,
Harrison,

Hay,
Hoy,
Jones, J. R.
Jones, W. L.
Jordan,
Martin,
Mayhall,
McArthur,
McCallister,
McHenry,
Mitchell,
Page,
Phillips,

Poor,
Procter,
Reed,
Rhea,
Riddle,
Smith,
Stevenson,
Talbutt,
Tandy,
Thomas,
Thompson,
Vertress,
Wortham—40.

Leave was given to bring in the following bills, viz :

On the motion of Mr. Soery—1. A bill to change a road in Trigg county.

On the motion of Mr. Reed—2. A bill to incorporate the Cumberland Navigation Company.

On the motion of Mr. Alexander—3. A bill for the benefit of John Cain.

On the motion of Mr. Alnut—4. A bill to incorporate the Union Seminary, in Owen county.

Ordered, That Messrs. Soery, Johnston and Board prepare and bring in the 1st; the committee on Internal Improvement the 2d; Messrs. Alexander, Thomas and Vertress the 3d, and Messrs. Alnut, McArthur and Johnston the 4th.

Mr. Wade, from the committee appointed to prepare and bring in the same, reported a bill to regulate the commissions of constables, which was read the first time.

And the question being taken on reading said bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. Crockett, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of John Moss, of Hickman county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Mr. McHenry moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Vertress, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker.	Fletcher,	Procter,
Messrs. Bell,	Foley,	Reed,
Botts, A. G.	Graves,	Riddle,
Botts, W. S.	Hall,	Rouse.
Bowman,	Hay,	Salter,
Bowmar,	Hobbs,	Spurr,
Boyd,	Jones, W. L.	Talbutt,
Bush,	Jordan,	Thomas,
Cobb,	McArthur,	Thompson,
Covington,	McHenry,	Vertress,
Elliott, M.	Pearl,	Walker,
Evans,	Phillips,	White—36.

Those who voted in the negative, were—

Messrs. Abell,	Hanson,	Oglesby,
Alexander,	Harrison,	Owens,
Alnut,	Hord,	Page,
Beeler,	Hoy,	Poor,
Board,	Ireland,	Purdum,
Brown,	Irvine, D.	Rhea,
Clarke,	Irvine, J.	Smith,
Coleman,	Johnston,	Soery,
Crawford,	Jones, J. R.	Spalding,
Crockett,	Mansfield,	Stevens,
Dasha,	Marshall,	Stevenson,
Devereux,	Martin,	Tandy,
Dickerson,	Mayhall,	Towles,
Durbin,	Mays,	Wade,
Elliott, J.	McCallister,	Waller,
English,	Meriwether,	Wheeler,
Gilbert,	Mitchell,	Wortham,
Glenn,	Moore,	Wright,
Haggard,	Morton,	Young—58.
Hager,		

Resolved, That said bill do pass, and that the title thereof be as afore-said.

Mr. Crockett, from the same committee, to whom was referred a bill to incorporate an additional Fire Company in the town of Frankfort, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as afore-said.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By Mr. Johnson—1. A bill for the benefit of James M. Shelly.

By Mr. Graves—2. A bill for the benefit of William F. Scanland, surveyor of Marion county.

By Mr. Evans—3. A bill to amend the road law in Greenup county.

By Mr. Poor—4. A bill to amend the law concerning runaway slaves.

By Mr. Smith—5. A bill to amend the execution laws.

By the committee on the Judiciary—6. A bill to incorporate the Shepherdsville Iron Manufacturing Company.

By same—7. A bill for the benefit of William Elliott, of Ballard county.

By same—8. A bill for the benefit of James W. Cruce, of Crittenden county.

By same—9. A bill to allow a change of venue to Milton Martin.

By same—10. A bill providing for a change of venue in the prosecution against William Darnell.

By same—11. A bill to allow two additional Justices of the Peace to the county of Wayne.

By same—12. A bill to change a constable's district in Union county.

By same—13. A bill for the benefit of Paschal D. Craddock.

By same—14. A bill legalizing transcript of minute book B, of the county court of Cumberland county.

By same—15. A bill to amend the law on the subject of apprehending runaway slaves.

By same—16. A bill for the benefit of the Baptist Church and Church of Christ, in Simpsonville.

By same—17. A bill for the benefit of Shiloh and Olivet churches, in Shelby county.

By same—18. A bill for the benefit of Lovey Wharton and Sarah Graham.

Which were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st was referred to the committee on Ways and Means; the 4th and 5th to the committee on the Judiciary, and the 2d, 3d, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th and 18th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th and 18th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Crockett, from the committee on the Judiciary, to whom was referred leave to bring in a bill providing for the payment of jurors in the country, asked to be discharged from the further consideration thereof.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House then took up for consideration the resolution read and laid on the table yesterday by Mr. Hanson.

Mr. Graves moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Evans, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Graves,	Munford,
Alnut,	Haggard,	Oglesby,
Armstrong,	Hager,	Page,
Board,	Harrison,	Poor,
Bowman,	Hord,	Reed,
Bowmar,	Hoy,	Riddle,
Clarke,	Ireland,	Rouse,
Coleman,	Irvine, J.	Soery,
Covington,	Johnston,	Spalding,
Desha,	Jones, J. R.	Stevens,
Dickerson,	Jordan,	Stevenson,
Durbin,	Marshall,	Talbutt,
Elliott, M.	Mays,	Towles,
English,	McArthur,	Vertress,
Evans,	McHenry,	Wade,
Fletcher,	Meriwether,	Walker,
Gilbert,	Moore,	Wheeler,
Glenn,	Morton,	Wright—54.

Those who voted in the negative, were—

Mr. Speaker,	Hall,	Procter,
Messrs. Abell,	Hanson,	Purdom,
Beeler,	Hay,	Rhea,
Bell,	Hobbs,	Salter,
Botts, A. G.	Irvine, D.	Smith,
Botts, W. S.	Jones, W. L.	Spurr,
Boyd,	Mansfield,	Stewart,
Brown,	Martin,	Tandy,
Bush,	Mayhall,	Thomas,
Cobb,	McCallister,	Thompson,
Crawford,	Mitchell,	Waller,
Crockett,	Owens,	White,
Elliott, J.	Pearl,	Wortham,
Foley,	Phillips,	Young—42.

A message was received from the Senate, announcing that they had adopted a preamble and resolution in relation to the future balloting for a United States Senator.

Mr. Brown moved to take up for consideration the said preamble and resolution.

Mr. Smith objected to the motion of Mr. Brown as being out of order.

The Speaker decided the motion of Mr. Brown to be in order.

From which decision Mr. Smith took an appeal to the House.

At quarter past one o'clock, P. M., Mr. Reed moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Crockett and Salter, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Alexander,	Elliott, J.	Mitchell,
Armstrong,	Fletcher,	Moore,
Board,	Haggard,	Morton,
Cobb,	Irvine, D.	Poor,
Coleman,	Irvine, J.	Reed,
Covington,	McHenry,	Soery,
Devereux,	Meriwether,	Wright—22.
Dickerson,		

Those who voted in the negative, were—

Mr. Speaker,	Hall,	Procter
Messrs. Abell,	Hanson,	Purdum,
Alnut,	Harrison,	Rhea,
Beeler,	Hay,	Riddle,
Bell,	Hobbs,	Rouse,
Botts, A. G.	Hord,	Salter,
Botts, W. S.	Hoy,	Smith,
Bowman,	Ireland,	Spalding.
Bowmar,	Johnston,	Spurr,
Boyd,	Jones, J. R.	Stevens,
Brown,	Jones, W. L.	Stevenson,
Bush,	Jordan,	Stewart,
Clarke,	Mansfield,	Talbutt,
Crawford,	Marshall,	Tandy,
Crockett,	Martin,	Thomas,
Desha,	Mayhall,	Thompson,
Durbin,	Mays,	Vertress,
Elliott, M.	McArthur,	Wade,
English,	McCallister,	Walker,
Evans,	Munford,	Waller,
Foley,	Oglesby,	Wheeler,
Gilbert,	Owens,	White,
Glenn,	Page,	Wortham,
Graves,	Pearl,	Young—74.
Hager,	Phillips,	

The question was then put, shall the decision of the Chair stand as the judgment of the House? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Glenn and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Beeler,	Dickerson,	Mitchell,
Bell,	Elliott, M.	Owens,
Botts, A. G.	Fletcher,	Pearl,
Botts, W. S.	Foley,	Phillips,
Bowmar,	Gilbert,	Salter,
Boyd,	Hall,	Spurr,
Brown,	Hanson,	Stewart,
Bush,	Irvine, D.	Tandy,
Cobb,	Jones, W. L.	Thomas,
Crawford,	Jordan,	Thompson,
Crockett,	Martin,	White,
Devereux,	McCallister,	Young—36.

Those who voted in the negative, were—

Messrs. Abell,	Hobbs,	Procter,
Alexander,	Hord,	Purdum,
Alnut,	Hoy,	Reed,
Armstrong,	Ireland,	Rhea,
Board,	Irvine, J.	Riddle,
Bowman,	Johnston,	Rouse,
Clarke,	Jones, J. R.	Smith,
Coleman,	Mansfield,	Soery,
Covington,	Marshall,	Spalding,
Desha,	Mayhall,	Stevens,
Durbin,	Mays,	Stevenson,
Elliott, J.	McArthur,	Talbutt,
English,	McHenry,	Towles,
Evans,	Meriwether,	Vertress,
Glenn,	Moore,	Wade,
Graves,	Morton,	Walker,
Haggard,	Munford,	Waller,
Hager,	Oglesby,	Wheeler,
Harrison,	Page,	Wortham,
Hay,	Poor,	Wright—60.

Mr. Bowman moved a re-consideration of the vote laying on the table the resolution proposed by Mr. Hanson.

At half past one o'clock, P. M., Mr. Soery moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Salter and Bowman, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Haggard,	Moore,
Board,	Hager,	Munford,

Clarke,
Cobb,
Covington,
Devereux,
Dickerson,
Elliott, J.
Evans,
Glenn,

Harrison,
Hord,
Hoy,
McCallister,
McHenry,
Meriwether,
Mitchell,

Poor,
Rhea,
Soery,
Spalding,
Stewart,
Towles,
Young—28.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell,
Alnut,
Armstrong,
Beeler,
Bell,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Brown,
Bush,
Coleman,
Crawford,
Crockett,
Desha,
Durbin,
Elliott, M.
English,
Fletcher,
Foley,
Gilbert,

Graves,
Hall,
Hanson,
Hay,
Hobbs,
Ireland,
Irvine, D.
Irvine, J.
Johnston,
Jones, J. R.
Jones, W. L.
Jordan,
Mansfield,
Marshall,
Martin,
Mayhall,
Mays,
McArthur,
Morton,
Oglesby,
Owens,
Page,
Pearl,

Phillips,
Procter,
Purdom,
Reed,
Riddle,
Rouse,
Salter,
Smith,
Spurr,
Stevens,
Stevenson,
Talbutt,
Tandy,
Thomas,
Thompson,
Vertress,
Wade,
Walker,
Waller,
Wheeler,
White,
Wortham—68.

Mr. Procter moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the vote laying said resolution on the table be reconsidered? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brown and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Beeler,
Bell,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,

Elliott, J.
Foley,
Hanson,
Hay,
Hobbs,
Irvine, D.
Jones, W. L.

Phillips,
Purdom,
Salter,
Smith,
Spurr,
Stewart,
Tandy,

Boyd,
Brown,
Bush,
Crawford,
Crookett,
Devereux,

Martin,
Mayhall,
McCallister,
Mitchell,
Owens,
Pearl,

Thomas,
Thompson,
Waller,
White,
Wortham,
Young—39.

Those who voted in the negative, were—

Messrs. Abell,
Alexander,
Alnut,
Armstrong,
Board,
Clarke,
Coleman,
Covington,
Desha,
Dickerson,
Durbin,
Elliott, M.
English,
Evans,
Fletcher,
Gilbert,
Glenn,
Graves,
Haggard,

Hager,
Hall,
Harrison,
Hord,
Hoy,
Ireland,
Irvine, J.
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Marshall,
Mays,
McArthur,
McHenry,
Meriwether,
Moore,
Morton,
Munford,

Oglesby,
Page,
Poor,
Procter,
Reed,
Rhea,
Riddle,
Rouse,
Soery,
Spalding,
Stevens,
Stevenson,
Talbutt,
Towles,
Vertress,
Wade,
Walker,
Wheeler,
Wright—57.

Mr. Haggard moved to suspend the rules to enable him to propose the following resolution, viz:

Resolved by the Senate and House of Representatives, That after the second ballot, if an election is not had, the further balloting for a United States Senator shall be suspended until the 10th instant, at 12 o'clock.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alnut,
Armstrong,
Beeler,
Bell,
Board,
Botts, W. S.
Bowman,
Bush,
Cobb,
Coleman,
Crawford,

Hager,
Hanson,
Hord,
Hoy,
Ireland,
Irvine, D.
Irvine, J.
Johnston,
Jones, J. R.
Jones, W. L.
Jordan,
Mansfield,

Pearl,
Purdom,
Riddle,
Rouse,
Salter,
Soery,
Spalding,
Spurr,
Stevens,
Stevenson,
Stewart,
Talbutt,

Covington,
Devereux,
Dickerson,
Elliott, J.
Elliott, M.
English,
Evans,
Fletcher,
Foley,
Glenn,
Haggard,

Marshall,
Martin,
Mayhall,
Mays,
McArthur,
Meriwether,
Mitchell,
Moore,
Morton,
Oglesby,
Page,

Tandy,
Thompson,
Towles,
Vertress,
Wade,
Walker,
Waller,
Wheeler,
Wortham,
Wright—63.

Those who voted in the negative, were—

Messrs. Abell,
Alexander,
Botts, A. G.
Bowmar,
Boyd,
Brown,
Clarke,
Crockett,
Desha,
Durbin,

Gilbert,
Graves,
Hall,
Harrison,
Hay,
McCallister,
McHenry,
Munford,
Owens,

Phillips,
Poor,
Procter,
Reed,
Rhea,
Smith,
Thomas,
White,
Young—28.

At a quarter past two o'clock, P. M., Mr. Marshall moved an adjournment. And the question being taken thereon, it was decided in the affirmative. The yeas and nays being required thereon by Messrs. Armstrong and Pearl, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,
Alexander,
Beeler,
Bowmar,
Boyd,
Clarke,
Covington,
Desha,
Devereux,
Dickerson,
Evans,
Glenn,
Graves,
Hall,
Harrison,
Hay,

Hoy,
Irvine, J.
Marshall,
McCallister,
McHenry,
Meriwether,
Mitchell,
Moore,
Morton,
Munford,
Oglesby,
Page,
Poor,
Reed,
Rhea,
Rouse,

Smith,
Soery,
Spalding,
Stevens,
Stevenson,
Tandy,
Thomas,
Towles,
Vertress,
Wade,
Walker,
Waller,
Wheeler,
Wortham,
Wright,
Young—48.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alnut,
Armstrong,

Elliott, J.
Elliott, M.
English,

Jordan,
Mansfield,
Martin,

Bell,
Board,
Botts, A. G.
Botts, W. S.
Bowman,
Brown,
Bush,
Cobb,
Coleman,
Crawford,
Crockett,
Durbin,

Fletcher,
Foley,
Gilbert,
Haggard,
Hager,
Hanson,
Hord,
Ireland,
Irvine, D.
Johnston,
Jones, J. R.
Jones, W. L.

Mayhall,
Mays,
McArthur,
Owens,
Pearl,
Phillips,
Procter,
Purdom,
Riddle,
Spurr,
Stewart,
Talbutt—45.

WEDNESDAY, FEBRUARY 3, 1847.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act better to define the duties of surveyors in this Commonwealth.

That they had passed bills from this House of the following titles, viz:

An act for the benefit of the coroner and surveyor of Owen county.

An act to change the district of Wesley Orear, a constable of Montgomery county.

An act allowing an additional Justice of the Peace to the county of Bath.

An act allowing additional Justices of the Peace to Knox, Cumberland, Green and Spencer counties.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act to establish and incorporate the town of Sherburn, in Fleming county.

An act for the benefit of the Trustees of the town of Poplar Plains.

1. Mr. Munford presented the petition of sundry citizens of the town of Glasgow, praying to be exempted from working on roads beyond the corporate limits of the town.

2. Mr. Owens presented the petition of Robert C. Sweeney, a constable of Russell county, praying an extension of his district.

3. Mr. W. S. Botts presented the petition of J. R. Powers, praying that permission be given him to peddle goods without license.

4. Mr. Mitchell presented the memorial of Jack Hart, praying that a gun be given him by the State for one lost at the battle of the Blue Licks.

5. Mr. Meriwether presented the remonstrance of sundry citizens of Green county, against the division of said county, by the formation of a new county out of part thereof.

6. Mr. Oglesby presented the petition of J. J. Goodman, praying that compensation be made him for conveying a lunatic to the Asylum.

7. Mr. Armstrong presented the petition of sundry citizens of Oldham county, praying the repeal of the act of 1846, suppressing the sale of spirituous liquors in the town of Lagrange.

8. Mr. Wright presented the petition of sundry citizens of Fulton county, praying the passage of a law establishing a State warehouse and inspection of tobacco.

9. Mr. Stevenson presented the petition of N. B. Stevens, praying the passage of a law legalizing the first election held by the stockholders of the Bank Lick Turnpike Company, for Directors, &c.

10. Mr. W. S. Botts presented the petition of Sarah McRoberts, praying to be divorced from her husband, William McRoberts.

11. Mr. Brown presented the petition of sundry citizens of Jefferson county, praying the formation of a new county out of part thereof, and the counties of Hardin, Meade and Bullitt.

Which were received, the reading thereof (except the 4th, which was read) dispensed with, and referred: the 1st to the committee on the Judiciary; the 2d and 3d to the committee on Ways and Means; the 4th to the committee on Military Affairs; the 5th, 7th and 11th to the committee on Propositions and Grievances; the 6th to the committee on Claims; the 8th to Messrs. Crockett, Young, Waller, Mansfield, Spalding, Haggard, Johnston, Soery and Board; the 9th to the committee on Internal Improvement, and the 10th to the committee on Religion.

Mr. Mitchell moved the following resolution, viz:

Resolved, That the memorial of Jack Hart be referred to the committee on Military Affairs; and that said committee be directed to enquire into the expediency of giving to the memorialist, from the Public Arsenal, a gun in place of the one represented by him to be lost in the first settlement of this Commonwealth; and that said committee report by bill or otherwise.

Which was adopted.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of certain sheriffs and the late clerk of the county of Clay.

An act to amend an act, entitled, an act for the benefit of the Trustees of the town of Bowlinggreen.

An act to change the spring and fall terms of the Warren circuit court.

An act to authorize the Chancellor of the Louisville Chancery Court to sign law license.

An act for the benefit of Fielding McDuffie.

An act providing for the support of an additional number of pupils in the Deaf and Dumb Asylum, at Danville.

An act for the benefit of Uriah Pool.

An act for the benefit of the Trustees of the town of Russellville.

An act to amend an act to incorporate the Bank Lick Turnpike Road Company.

An act for the benefit of Hugh Lynn Gilkerson.

An act to amend the acts incorporating the towns of Blanville, in Ballard county, Clarksburg, in Lewis county, and Hawesville, in Hancock county.

An act for the benefit of Conrad Havens.

An act to extend the constable's district around the town of Murray, in Calloway county.

An act for the benefit of Charles W. Dean.

An act for the benefit of Lois Smallwood.

An act for the benefit of James M. McMillen.

An act for removing obstructions in Little Sandy river, and to extend the navigation thereof.

An act for the benefit of James McKenzie, and others.

An act for the benefit of the Trustees of Williamstown.

An act to establish the town of Dycusburg, in the county of Crittenden.

An act to amend the penal laws.

An act to allow additional Justices of the Peace to the counties of Pendleton and Hart.

An act for the benefit of Richard Myers, and to legalize the proceedings of the 17th Regiment of Kentucky Militia.

An act concerning the jail of Shelby county, and for other purposes.

Also, bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz :

An act to establish a road from Rochester, at the mouth of Muddy river, to Russellville.

An act to legalize the proceedings of the Henderson county court, held the 4th Monday in June, 1846.

An act for the benefit of Levi Pendley, of Hopkins county.

An act for the benefit of William G. Connell, surveyor of Trimble county.

An act for the benefit of Bernard Simpson and wife, and William Bailey, of Adair county.

An act for the benefit of the heirs of David Ramsey, deceased, of Hickman county.

An act to legalize the proceedings of the Christian county court.

An act to change the time of holding the Washington county court.

An act to change the time of holding the Pulaski circuit court, and for other purposes.

An act allowing an additional Justice of the Peace and constable to Henry county.

An act for the benefit of the Anderson Infantry.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Bowman—1. A bill to allow an additional Justice of the Peace to Casey county.

On the motion of Mr. Boyd—2. A bill to give the county court of Livingston the power to change a road, and for other purposes.

On the motion of Mr. Mayhall—3. A bill to amend the duelling laws.

On the motion of Mr. Board—4. A bill to repeal an act, entitled, an act for the better preservation of the breed of deer, and preventing unlawful hunting.

On the motion of Mr. Stewart—5. A bill to change the time of holding the Montgomery county court.

Ordered, That Messrs. Bowman, Wortham, Smith and Bell prepare and bring in the 1st; Messrs. Boyd, Brown and Vertress the 2d; the committee on the Judiciary the 3d and 5th, and Messrs. Board, Meriwether, Evans and Johnston the 4th.

On the motion of Mr. Stevenson,

Ordered, That the Public Printer, print with the report of the committee on Executive Affairs of the Senate, an equal number of the message of the Governor in relation to that subject, and the response of B. Hardin, Esq.

On the motion of Mr. Stevenson,

Resolved, That Samuel M. Moore, the Editor of the Kentucky Intelligencer, be admitted to a seat on this floor, to report its proceedings.

Mr. Johnston moved the following resolution, viz:

Resolved, That the committee on Education be instructed to enquire into the expediency of extending the benefit of the common school law to all the white children of the State, between the age of five and twenty one years, and report by bill or otherwise.

Which was adopted.

The Speaker laid before the House a communication from the President of the Board of Internal Improvement, which is as follows, viz:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
February 3, 1847. }

The Honorable Senate and House of Representatives;

In pursuance of an act, entitled, "an act to amend an act, entitled, an act for the benefit of the owners of mills and other property injured by slack-

water, approved the 10th February, 1845," approved February 23, 1846, the Board of Internal Improvement, having re-investigated the claim of G. W. King for damages done by the slackwater from Pool No. 1, on Green river, have the honor to report :

That from the additional testimony adduced by the claimant, all of which is on file in this office for the inspection of members, it would appear that that the claimant had sustained damages to the amount of \$500 per annum, or say at least \$2,000 in all, &c., &c.

In their report of the last year, the Board rejected the claim on the ground that "the mill had been built some years after the commencement of the works upon Green river, and when they were in rapid progress to completion." It might have been added that Mr. King purchased the land after the commencement of the works, and therefore he is not entitled to indemnity from the State, *if damages* he has sustained. To this the claimant replies, that the *dam below* had been built somewhat *higher* than it was to have been built according to the *original plan*, and he claims on account of the *increased height* of the dam.

The Board can attach but little importance to this ingenious afterthought of the claimant and his advisers, and they doubt whether he ever made an experiment, by leveling, to ascertain what would have been the height of the water at that point had the dam been raised no higher than according to the original plan; neither are they convinced that the dam has been raised higher than was originally intended. It is clear that it was intended that the *pool* should be raised to its present height so as to enable the steamers to pass over the *mitre sill* of the *Lock above*; and to effect that object it was indispensable that the *pool* should be as high at that point as at present, and so likewise the dam.

But aside from all this, it appears from the testimony of a member of this Board, (he being the superintendant of that work,) and of H. J. Eastin, an Engineer of long experience in his profession, that they, (Mr. Dyer and H. J. Eastin, Esq.) having leveled from the river, at the mouth of Sputsman creek, to the mill, find the *lower part* of the *mill wheel* to be *six feet five inches above the level of the water in the pool*, when the water was running over the dam below from one end to the other. The mill is built about a mile from the river, at the mouth of the creek, and *about three or four miles from the head branches of said creek*; and the creek having no water in it at the time of the leveling process, has probably done much more damage to the claimant, by its failure to convey water to the mill, than has been done by the frequent overflowing from the slackwater, especially when it is considered that the overflowing from the river would have taken place nearly if not quite as often, (as the Board believe,) in the absence of the dams, as it has done since their construction.

The *bottom of the mill wheel*, at Lock No. 4, on the Kentucky river, is, say, from *one and a half to two feet above the level* of the water—at the same stage—*when the water is barely running over the dam*; and this mill has but recently been built, and is a first rate one; not seriously injured by high water.

The Board are informed that Mr. King is an honest man, and would not therefore recommend the enforcement of the laws against him in regard to the *costs of the investigation*, his efforts having probably resulted from the advice of his *able, ingenious and indefatigable* counsellor.

I have the honor to be, with great respect,

THOMAS METCALFE, P. B. & L.

Mr. Crockett, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to repeal the law authorizing deeds to be recorded in the office of the Court of Appeals and General Court, reported the same with an amendment as a substitute for said bill.

Which was concurred in.

Mr. Alexander moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wortham and Crockett, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Alexander,	Elliott, J.	Reed—5.
Armstrong,	McHenry,	

Those who voted in the negative, were—

Mr. Speaker,	Graves,	Page,
Messrs. Abell,	Haggard,	Pearl,
Alnut,	Hager,	Phillips,
Beeler,	Hanson,	Poor,
Bell,	Harrison,	Procter
Board,	Hay,	Purdom,
Botts, A. G.	Hobbs,	Rhea,
Botts, W. S.	Hord,	Riddle,
Bowman,	Hoy,	Rouse,
Bowmar,	Ireland,	Salter,
Boyd,	Irvine, D.	Smith,
Brown,	Johnston,	Soery,
Bush,	Jones, J. R.	Spalding.
Clarke,	Jones, W. L.	Spurr,
Cobb,	Jordan,	Stevens,
Coleman,	Mansfield,	Stewart,
Crawford,	Marshall,	Talbutt,
Crockett,	Martin,	Tandy,
Covington,	Mayhall,	Thomas,
Desha,	Mays,	Thompson,
Devereux,	McArthur,	Towles,
Dickerson,	McCallister,	Vertress,
Durbin,	Meriwether,	Wade,
Elliott, M.	Mitchell,	Walker,
English,	Moore,	Waller,
Fletcher,	Morton,	White,
Foley,	Munford,	Wortham,
Gilbert,	Oglesby,	Wright,
Glenn,	Owens,	Young—87.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as afore-said.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By Mr. Mitchell—1. A bill to amend an act, entitled, an act to reduce into one the several acts in relation to the town of Danville, and for other purposes, approved 16th February, 1846.

By Mr. Alexander—2. A bill for the benefit of John Cain.

By the committee on the Judiciary—3. A bill directing special terms of the circuit courts of Bath, Estill and Lewis counties.

By same—4. A bill to amend an act, entitled, an act to incorporate the Cumberland Female Academy, and for other purposes, approved 1st February, 1837.

By same—5. A bill for the benefit of Elizabeth Bowren and her children.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with ; the 1st, 3d, 4th and 5th were severally ordered to be engrossed and read a third time, and the 2d was referred to the committee on Ways and Means,

The rule of the House, constitutional provision and third reading of the 1st, 3d, 4th and 5th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, by Mr. Harris, announcing that they were then ready to proceed to the election of a Senator in Congress.

On the motion of Mr. Crockett,

Ordered, That a message be sent to the Senate announcing that this House will, after the first ballot on this day, suspend the election of a Senator in Congress until to-morrow at 12 o'clock.

Ordered, That Mr. Meriwether inform the Senate thereof.

The House then proceeded to take a vote between those remaining on nomination on yesterday, and it stood thus :

Those who voted for Mr. Underwood, were—

Messrs. Alexander,
Beeler,
Bell,
Bowman,
Boyd,
Clarke,
Cobb,
Crockett,
Covington,
Gilbert,
Glenn,

Haggard,
Harrison,
Hay,
Hoy,
Jones, J. R.
Mayhall,
McCallister,
McHenry,
Munford,
Owens,
Page,

Poor,
Purdum,
Reed,
Rhea,
Smith,
Soory,
Thomas,
Vertress,
Waller,
Wortham,
Young—33.

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hobbs,	Riddle,
Messrs. Botts, W. S.	Irvine, D.	Salter,
Brown,	Jones, W. L.	Spurr,
Bush,	Jordan,	Stewart,
Crawford,	Martin,	Tandy,
Devereux,	Mitchell,	Thompson,
Foley,	Pearl,	White—23.
Hanson,	Phillips,	

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Graves,	Morton,
Alnut,	Hager,	Oglesby,
Armstrong,	Ireland,	Rouse,
Board,	Irvine, J.	Spalding,
Coleman,	Johnston,	Stevens,
Desha,	Mansfield,	Stevenson,
Dickerson,	Marshall,	Towles,
Elliott, J.	Mays,	Wade,
Elliott, M.	McArthur,	Walker,
English,	Meriwether,	Wheeler,
Fletcher,	Moore,	Wright—33.

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hord,	Talbutt—5.
Durbin,	Procter,	

For Mr. Helm—Mr. Bowmar.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	40
For Mr. Letcher,	-	-	-	-	-	-	42
For Mr. Hawes,	-	-	-	-	-	-	37
For Mr. Metcalfe,	-	-	-	-	-	-	9
For Mr. Helm,	-	-	-	-	-	-	1

The House then took up for consideration the resolution proposed by Mr. Haggard on yesterday.

The said resolution was then amended, and as amended, reads as follows, viz:

Resolved by the Senate and House of Representatives, That after two more ballots, the further balloting for a United States Senator shall be suspended, if an election is not had, until the 16th instant, at 12 o'clock.

Mr. Hobbs moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the resolution, as amended, be adopted? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Crockett, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hanson,	Pearl,
Messrs. Abell,	Hord,	Phillips,
Alnut,	Ireland,	Purdom,
Armstrong,	Irvine, D.	Riddle,
Beeler,	Irvine, J.	Rouse,
Bell,	Johnston,	Salter,
Board,	Jones, W. L.	Spalding,
Botts, W. S.	Jordan,	Spurr,
Clarke,	Mansfield,	Stevens,
Crawford,	Marshall,	Stevenson,
Desha,	Martin,	Tandy,
Dickerson,	Mays,	Thompson,
Elliott, J.	McArthur,	Towles,
Elliott, M.	Meriwether,	Wade,
English,	Mitchell,	Walker,
Fletcher,	Moore,	White,
Foley,	Morton,	Wright,
Hager,	Oglesby,	Young—54.

Those who voted in the negative, were—

Messrs. Alexander,	Glenn,	Page,
Botts, A. G.	Graves,	Poor,
Bowman,	Haggard,	Procter,
Bowmar,	Harrison,	Reed,
Boyd,	Hay,	Rhea,
Brown,	Hobbs,	Smith,
Cobb,	Hoy,	Soery,
Coleman,	Jones, J. R.	Talbutt,
Crockett,	Mayhall,	Thomas,
Covington,	McCallister,	Vertress,
Devereux,	McHenry,	Waller,
Durbin,	Munford,	Wheeler,
Gilbert,	Owens,	Wortham—39.

Mr. McHenry, from the committee on the Judiciary, to whom was referred a bill to amend the execution laws, reported the same without amendment.

Ordered, That said bill be referred to a committee of the whole, and made the special order of the day for Tuesday, the 9th instant, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. McHenry, from the same committee, to whom was referred a bill altering the mode of taking the acknowledgment of deeds, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

Mr. McHenry, from the same committee, to whom was referred the petition of John Dodd, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. McHenry, from the same committee, to whom was referred a bill to increase the liabilities of sheriffs and their deputies, reported the same without amendment.

The question was then put on engrossing and reading said bill a third time, and after some discussion had thereon,

The House adjourned.

THURSDAY, FEBRUARY 4, 1847.

A message was received from the Senate announcing that they had passed bills of the following titles, viz:

An act for the benefit of Jonathan Williams.

An act to prevent the wanton destruction of fish.

An act to authorize toll gate No. 3, on the Georgetown and Williamstown Turnpike Road, and for other purposes.

An act for the benefit of James Fike, of Graves county.

1. Mr. Board presented the petition of Sugars W. Blythe, praying that he be permitted to bring into this State a slave.

2. Mr. J. Elliott presented the remonstrance of sundry of Morgan county, against adding a part of said county to Johnson county.

3. Mr. Morton presented the petition of Isham Browder, praying permission to build a fish dam across Pond river.

4. Mr. Brown presented the petition of Thomas Florence, praying that his mill dam, on Clear creek, may be allowed to remain.

5. Mr. Hobbs presented the petition of W. F. Bullock, praying an amendment to the law establishing the Kentucky Institution for the Education of the Blind.

6. Mr. Cobb presented the petition of William Newman, praying to be divorced from his wife, Jemima Newman.

7. Mr. Brown presented the petition of sundry citizens of Hardin county, praying the establishment of a new county out of part of said county, and the counties of Meade, Bullitt and Jefferson.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on the Judiciary; the 2d and 7th to the committee on Propositions and Grievances; the 3d to the committee on Internal Improvement; the 4th to Messrs. Brown, Vertress and A. G. Botts; the 5th to the committee on Education, and the 6th to the committee on Religion.

Mr. Wade asked leave to withdraw the petition of Matilda A. Simmons, which was granted, and the same was withdrawn.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Rouse—1. A bill for the benefit of John Goodridge.

By Mr. Walker—2. A bill to reduce the number of Justices of the Peace of Anderson county.

By Mr. Ireland—3. A bill to extend the constable's district, including Williamstown, in Grant county, and the district of Robert C. Sweeney, a constable of Russell county.

By the committee on Ways and Means—4. A bill for the benefit of the Sheriff of Bullitt county.

By Mr. Bowman—5. A bill to allow an additional Justice of the Peace to the county of Casey.

By Mr. Wheeler—6. A bill for the benefit of Martin Fugate, late sheriff of Pendleton county.

By Mr. Towles—7. A bill for the benefit of James Purvis and others, of Green county.

By the committee on the Judiciary—8. A bill for the benefit of George W. Jones and others.

By same—9. A bill for the benefit of Clinton Nash.

By same—10. A bill to incorporate the towns of Pikeville and Paintsville. Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st was referred to the committee on the Judiciary, and the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th and 10th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th and 10th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Desha, from the committee on Military Affairs, who were appointed to prepare and bring in the same, reported a bill for the benefit of Jack Hart, which was read the first time as follows, viz:

WHEREAS, it is represented to this General Assembly, that Jack Hart, a man of color, emigrated to Kentucky in the capacity of a servant to Capt.

Nat Hart, in the year 1774, and endured the perils, privations and hardships incident to the pioneers of "the dark and bloody ground;" that for his fidelity and his expertness as a hunter, he was presented by Col. David Hart, with a rifle gun; that upon information being received at Boonesboro', of Bryant's station being besieged by the Indians, he loaned his gun to a man then at the fort, to go to the assistance of the besieged, and the man returned without the gun, having lost it at the battle of the Blue Licks: therefore, in consideration of the valuable and faithful services of said Jack, in the first settlement of Kentucky, and in further consideration of his giving up his gun, so cheerfully, to be used in repelling the savage foe,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That a gun be made, under the direction of the Adjutant General of the State, as early as practicable, with the following inscription engraved on the barrel thereof: "Presented by the Legislature of Kentucky to Jack Hart, the Pioneer of the African race to 'the dark and bloody ground:' awarded for faithful service and to compensate him for a rifle lost at the battle of the Blue Licks:" *Provided,* The cost of the same shall not exceed thirty dollars. And so soon as said gun shall be finished, the Adjutant General is hereby required to notify Nathaniel Hart, of Woodford, of the fact, who may receive the same for said Jack and receipt therefor; and upon the presentation of said receipt, together with a statement in writing of the cost of said gun, by the Adjutant General, and by whom made, it shall be the duty of the Second Auditor to draw his warrant on the Treasurer for the amount, in favor of the manufacturer of the gun, to be paid by the Treasurer out of any money in the Treasury not otherwise appropriated: *Provided,* The said Jack Hart be, and he is hereby exempt from the penalties of the law against slaves carrying a gun.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Graves moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and J. Elliott, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alexander,
Bowman,
Bowmar,
Brown,
Bush,
Cobb,
Coleman,
Crockett,
Covington,
Elliott, J.
Elliott, M.
English,
Fletcher,

Foley,
Graves,
Haggard,
Hanson,
Harrison,
Hay,
Hobbs,
Hoy,
Jones, J. R.
Mayhall,
Mays,
Meriwether,
Morton,
Oglesby,

Owens,
Phillips,
Rhea,
Riddle,
Spalding,
Spurr,
Stevens,
Stewart,
Talbutt,
Tandy,
Walker,
White,
Wright—41.

Those who voted in the negative, were—

Messrs. Abell,	Hager,	Pearl,
Alnut,	Hord,	Poor,
Armstrong,	Ireland,	Procter
Beeler,	Irvine, D.	Reed,
Bell,	Irvine, J.	Rouse,
Board,	Johnston,	Smith,
Botts, A. G.	Jones, W. L.	Soery,
Botts, W. S.	Jordan,	Stevenson,
Boyd,	Mansfield,	Thomas,
Clarke,	Marshall,	Thompson,
Crawford,	Martin,	Towles,
Desha,	McArthur,	Vertress,
Devereux,	McCallister,	Wade,
Dickerson,	McHenry,	Wheeler,
Durbin,	Mitchell,	Wortham,
Gilbert,	Munford,	Young—50.
Glenn,	Page,	

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Graves and Mays, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Hord,	Poor,
Alnut,	Ireland,	Procter,
Armstrong,	Irvine, D.	Rouse,
Bell,	Johnston,	Salter,
Board,	Jones, W. L.	Stevenson,
Botts, A. G.	Jordan,	Talbutt,
Botts, W. S.	Mansfield,	Thomas,
Boyd,	Marshall,	Towles,
Crawford,	McArthur,	Vertress,
Devereux,	McHenry,	Wade,
Dickerson,	Mitchell,	Waller,
Durbin,	Munford,	Wortham,
Gilbert,	Page,	Young—41.
Hanson,	Pearl,	

Those who voted in the negative, were—

Mr. Speaker,	Foley,	Owens,
Messrs. Alexander,	Glenn,	Phillips,
Beeler,	Graves,	Reed,
Bowman,	Hager,	Rhea,
Bowmar,	Harrison,	Riddle,
Brown,	Hay,	Smith,

Bush,	Hobbs,	Soery,
Clarke,	Hoy,	Spalding,
Cobb,	Irvine, J.	Spurr,
Coleman,	Jones, J. R.	Stevens,
Crockett,	Martin,	Stewart,
Covington,	Mayhall,	Tandy,
Desha,	Mays,	Walker,
Elliott, J.	McCallister,	Wheeler,
Elliott, M.	Meriweather,	White,
English,	Morton,	Wright—50.
Fletcher,	Oglesby,	

The House again resumed the consideration of the bill to increase the liabilities of sheriffs and their deputies.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, all sheriffs of this Commonwealth, and their securities in their official bonds, hereafter executed, shall be liable to the plaintiff and defendants in execution, for money collected by sheriffs or their deputies on executions, after the return day thereof, in the same way and to the same extent that they are now liable by law for money collected on executions, whilst in full force and before the return day of the same: *Provided,* That nothing herein contained shall be so construed as to exempt any sheriff from any liability under existing laws for failing to return executions, or to pay over money collected by them on executions.

Mr. Wheeler moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Glenn and McArthur, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hord,	Morton,
Messrs. Alexander,	Ireland,	Riddle,
Beeler,	Irvine, D.	Smith,
Board,	Irvine, J.	Spurr,
Bowmar,	Johnston,	Stevens,
Boyd,	Jones, J. R.	Talbutt,
Bush,	Jordan,	Thomas,
Coleman,	Marshall,	Thompson,
Dickerson,	Mays,	Walker,
Durbin,	McHenry,	Wheeler,
Gilbert,	Mitchell,	Wright—34.
Graves,		

Those who voted in the negative, were—

Messrs. Abell,	Glenn,	Pearl,
Alnut,	Haggard,	Phillips,
Armstrong,	Hager,	Poor,
Bell,	Hanson,	Proster,

Botts, A. G.
 Botts, W. S.
 Bowman,
 Clarke,
 Cobb,
 Crawford,
 Crockett,
 Covington,
 Desha,
 Devereux,
 Elliott, J.
 Elliott, M.
 English,
 Fletcher,
 Foley,

Harrison,
 Hay,
 Hobbs,
 Hoy,
 Jones, W. L.
 Mansfield,
 Martin,
 Mayhall,
 McArthur,
 McCallister,
 Meriwether,
 Munford,
 Oglesby,
 Owens,
 Page,

Rhea,
 Rouse,
 Salter,
 Soery,
 Spalding,
 Stevenson,
 Stewart,
 Tandy,
 Towles,
 Vertress,
 Wade,
 Waller,
 Wortham,
 Young—56.

Ordered, That said bill be referred to Messrs W. S. Botts, Rhea, Hanson, Crockett, Stevenson and Waller.

Mr. Page, from the committee on the Judiciary, reported a bill to amend the charter of the city of Louisville, and for other purposes, which was read the first time, as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That at the election of Mayor and Council in the city of Louisville, to be held on the first Monday in May next, the qualified voters for said Mayor and Councilmen, shall have the right, and they are hereby authorized to say, by vote, whether the Mayor and Council of said city, shall, or shall not, have and retain the power now held by them under the charter of said city, to license coffee or tippling houses, for the sale of spirituous liquors by the small, within the corporate limits of said city; and for that purpose a poll shall be opened by the inspectors appointed to superintend the election in each of the wards of said city; and the clerk of each ward, appointed to register the votes thereof, at said election, shall make two columns upon the book in which the votes are to be registered, which columns shall be headed: "For and against licensing coffee houses for the sale of spirituous liquors by the small;" and he shall ask each voter: "Are you for or against the measure;" and the vote of each voter shall be carried into the one or the other of these columns, according as he shall express himself for or against the Mayor and Council licensing said houses; and if a majority of those who vote in said election, on that question, shall cast their votes against the policy of allowing the Mayor and Council the power to license coffee or tippling houses, for the sale of spirituous liquors by the small, in said city, from that time all such power shall cease, and be wholly withdrawn from the Mayor and Council aforesaid, until restored to them by an act of the Legislature.

SEC. 2. *That the provisions of the foregoing act, shall not be so construed, as to take from the Mayor and council of said city the power to grant licenses for the keeping such taverns within the limits of said city, as shall be necessary and proper for the accommodation of the public: Provided, however, that in licensing taverns within said city, the Mayor and Council shall, in all respects, conform to, and be regulated by, the provisions of the general laws of the State, prescribing the powers and duties of the county courts*

of this Commonwealth in respect to taverns and tippling houses; and all taverns that shall be licensed under the provisions of this act, shall in all things, conform to, and be bound by, the general laws of this State, in respect to taverns and tippling houses, except that the tavern keepers shall not be required to provide stabling for horse, &c.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Page moved to amend said bill by striking out all that part printed in italics.

And the question taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Page and J. Irvine, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Graves,	Page,
Messrs. Alnut,	Hager,	Pearl,
Board,	Harrison,	Poor,
Botts, A. G.	Hay,	Rhea,
Bowman,	Hoy,	Soery,
Bowmar,	Ireland,	Talbutt,
Brown,	Irvine, D.	Tandy,
Coleman,	Johnston,	Vertress,
Covington,	Manfield,	Walker,
Devereux,	Marshall,	Wright,
English,	Morton,	Young—33.

Those who voted in the negative, were—

Messrs. Abell,	Gilbert,	Moore,
Armstrong,	Glenn,	Munford,
Beeler,	Haggard,	Oglesby,
Bell,	Hanson,	Owens,
Botts, W. S.	Hobbs,	Phillips,
Boyd,	Irvine, J.	Riddle,
Bush,	Jones, J. R.	Rouse,
Clarke,	Jones, W. L.	Smith,
Cobb,	Jordan,	Spalding,
Crawford,	Mayhall,	Stevens,
Crockett,	Mays,	Stevenson,
Desha,	McArthur,	Thomas,
Durbin,	McCallister,	Thompson,
Elliott, J.	McHenry,	Wade,
Elliott, M.	Meriwether,	Waller,
Fletcher,	Mitchell,	Wortham—49.
Foley,		

Ordered, That said bill be engrossed, and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Young,

Ordered, That a message be sent to the Senate asking leave to withdraw the report of this House, announcing the adoption of a resolution for the suspension of the balloting for a United States Senator.

Ordered, That Mr. Young carry said message.

After a short time Mr. Young returned with said resolution.

Mr. Hanson moved a re-consideration of the vote adopting said resolution.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the Senate announcing that they had adopted a resolution to postpone the election of a Senator in Congress.

The said resolution was then twice read and concurred in.

On motion of Mr. Haggard,

Ordered, That leave of absence, until Tuesday next, be granted to Mr. Martin.

On the motion of Mr. Stevenson,

Ordered, That the committee on Internal Improvement be allowed a temporary clerk.

And then the House adjourned.

FRIDAY, FEBRUARY 5, 1847.

A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act to amend the law on the subject of apprehending runaway slaves.

That they had passed bills from this House, of the following titles, viz:

An act to amend an act, entitled, an act for the benefit of Harrison Rankins, and wife and children.

An act to change the place of comparing the polls in the counties of Morgan and Breathitt.

An act to incorporate an additional Fire Company in the town of Frankfort.

An act for the benefit of William F. Scanland, Surveyor of Marion county.

An act to incorporate the Shepherdsville Iron Manufacturing Company.

An act for the benefit of William Elliott, of Ballard county.

An act to allow a change of venue to Milton Martin.

An act providing for a change of venue in the prosecution against William Darneall.

An act to change a Constable's district in Union county.

An act for the benefit of Paschal D. Craddock.

An act legalizing transcript of minute book B. of the County Court of Cumberland county.

An act for the benefit of Shiloh and Olivet Churches, in Shelby county.

An act for the benefit of Lovey Wharton and Sarah Graham.

An act to change the place of voting in Hart county, from the house of James Simpson to John H. Lively's.

An act to allow two additional Justices of the Peace to the county of Wayne.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act to repeal the second section of an act, entitled, "an act declaring certain deeds valid," approved March 2, 1844.

An act providing for the construction and protection of Morse's Magnetic Telegraph in Kentucky.

An act to authorize a survey of the town of Mount Washington, and for other purposes.

1. Mr. Page presented the petition of Charles Bryant and wife, praying the passage of a law authorizing the sale of certain real estate in the city of Louisville, devised to them by Wm. Cotton, deceased.

2. Also, the petition of the Mayor and Council of the city of Louisville, praying that authority be given them to take stock in the Louisville and Lexington Railroad Company.

3. Mr. W. S. Botts presented a communication from Tho. W. Fleming, in relation to the Lunatic Asylum.

4. Mr. Abell presented the petition of Alfred Anderson, praying that permission be given to Addison F. Thornton, to bring into this State certain slaves.

Which were received, the reading thereof dispensed with, and referred: the 1st, 2d and 4th to the committee on the Judiciary, and the 3d to the committee on the Lunatic Asylum.

On motion of Mr. Johnston,

Ordered, That leave of absence, until Tuesday next, be granted Mr. Tandy.

On motion of Mr. Wortham,

Ordered, That leave of absence be granted Mr. Purdom, until Monday next.

On motion of Mr. Gilbert,

Ordered, That leave of absence be granted Mr. Thomas, until Tuesday next.

On motion of Mr. Waller,

Ordered, That leave of absence be granted Mr. Hord, until Tuesday next.

A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act for the benefit of James W. Cruce.

Mr. Glenn asked leave to withdraw the petition of James W. Cruce, and the same was withdrawn.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Bell—1. A bill to change the name of Pinchico to that of Rogersville, and for other purposes.

By Mr. English—2. A bill for the benefit of Winston Mayo, Clerk of the Johnson Circuit Court, and for other purposes.

By the committee on the Judiciary—3. A bill to change the names of Thomas and Jane Helder, John and Lucy M. Bradley, John S. Cocks, Polly Bowles, Rebecca A. Chevalier and her children.

By same—4. A bill for the benefit of Joseph C. Linn.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The yeas and nays being required on the passage of the 4th bill, by Messrs. Cobb and McHenry, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Fletcher,	Oglesby,
Messrs. Abell,	Gilbert,	Owens,
Alexander,	Glenn,	Page,
Alnut,	Hager,	Poor,
Beeler,	Hall,	Reed,
Board,	Hanson,	Rhea,
Botts, A. G.	Hoy,	Riddle,
Bowmar,	Ireland,	Rouse,
Boyd,	Irvine, D.	Smith,
Brown,	Irvine, J.	Soery,
Bush,	Johnston,	Spalding,
Clarke,	Jones, J. R.	Stevens,
Coleman,	Jordan,	Stevenson,
Crawford,	Mansfield,	Talbutt,
Crockett,	Mayhall,	Thompson,
Desha,	Mays,	Towles,
Devereux,	McArthur,	Wade,
Dickerson,	McCallister,	Walker,
Durbin,	Meriwether,	Waller,

Elliott, J.
English,
Evans,

Mitchell,
Morton,
Munford,

Wheeler,
Wright,
Young—66.

Those who voted in the negative, were—

Messrs. Bowman,
Cobb,
Covington,
Elliott, M.
Foley,
Harrison,

Hay,
Hobbs,
Jones, W. L.
McHenry,
Phillips,

Procter,
Stewart,
Vertress,
White,
Wortham—16.

The House again resumed the consideration of the report of the committee on the Judiciary, asking to be discharged from the further consideration of a leave to bring in a bill providing for the payment of jurors in the country.

And the question being taken on discharging the committee, it was decided in the affirmative.

Mr. Evans moved a reconsideration of the vote discharging the committee.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Evans and McArthur, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,
Bell,
Board,
Bowmar,
Clarke,
Crawford,
Covington,
Desha,
Devereux,
Durbin,
Elliott, M.
Evans,
Fletcher,
Glenn,
Haggard,

Hager,
Hall,
Harrison,
Hoy,
Ireland,
Jones, J. R.
Jordan,
Mansfield,
Mayhall,
Mays,
McArthur,
Oglesby,
Owens,
Poor,

Rhea,
Rouse,
Smith,
Spalding,
Stevens,
Stewart,
Talbutt,
Thompson,
Wade,
Walker,
Waller,
Wheeler,
White,
Wright—43.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell,
Alexander,
Beeler,
Botts, A. G.
Bowman,
Boyd,

English,
Foley,
Gilbert,
Graves,
Hay,
Hobbs,
Irving, D.

Mitchell,
Morton,
Munford,
Page,
Phillips,
Reed,
Riddle,

Brown,
Bush,
Cobb,
Coleman,
Crockett,
Elliott, J.

Irvine, J.
Johnston,
Jones, W. L.
McCallister,
McHenry,
Meriwether,

Soery,
Stevenson,
Towles,
Vertress,
Wortham—38.

The question was again taken on discharging said committee, and it was decided in the affirmative.

Ordered, That said leave be referred to Messrs. Smith, Evans, Mayhall, Devereux and Glenn.

The hour of twelve o'clock having arrived, the House proceeded to the orders of the day.

Mr. McHenry moved to postpone the resolutions read and laid on the table by Mr. Stevenson, in relation to the war with Mexico, until Friday, the 12th instant.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stevenson and Board, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alexander,
Beeler,
Botts, A. G.
Bowman,
Bowmar,
Boyd,
Brown,
Bush,
Cobb,
Crawford,
Crockett,
Covington,
Devereux,
Foley,
Gilbert,

Haggard,
Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Hoy,
Irvine, D.
Jones, W. L.
Mayhall,
McCallister,
McHenry,
Mitchell,
Munford,
Owens,

Page,
Phillips,
Poor,
Procter,
Reed,
Rhea,
Smith,
Stewart,
Talbutt,
Thompson,
Vertress,
Waller,
White,
Wortham,
Young—46.

Those who voted in the negative, were—

Messrs. Abell,
Alnut,
Bell,
Board,
Clarke,
Coleman,
Dickerson,
Durbin,
Elliott, M.
Elliott, J.

Graves,
Hager,
Ireland,
Irvine, J.
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Marshall,
Mays,

Morton,
Oglesby,
Riddle,
Rouse,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,

English,
Fletcher,
Glenn,

McArthur,
Meriwether,

Wheeler,
Wright—37.

The House then resolved itself into a committee of the whole on the bill to change the time of holding the terms of the Court of Appeals; Mr. White in the Chair; and after some time spent therein the Speaker resumed the Chair; when Mr. White reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House with an amendment, which he handed in at the Clerk's table.

The amendment proposed by the committee of the whole to said bill was to strike out the words "first Monday in December," and insert "first Monday in November."

A division of the question being called for, the question was first taken on striking out, and it was decided in the affirmative.

The blank was then filled with the words "first Monday in November."

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House resolved itself into a committee of the whole on the bill to amend the law in relation to executors, administrators, curators and guardians; Mr. Meriwether in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Meriwether reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House without amendment, which he handed in at the Clerk's table.

Ordered, That said bill be made the special order of the day for to-morrow, at 12 o'clock.

The House resolved itself into a committee of the whole on the bill to amend the rule of chancery practice; Mr. D. Irvine in the Chair; and after some time spent therein the Speaker resumed the Chair, when Mr. Irvine reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House without amendment, which he handed in at the Clerk's table.

Ordered, That said bill be referred to Messrs. McHenry, Waller, Crockett, Mitchell and Stevenson, with instructions to report the same to the House on Monday next, at 12 o'clock.

And then the House adjourned.

SATURDAY, FEBRUARY 6, 1847.

1. Mr. Harrison presented the petition of sundry citizens of Christian county, praying the establishment of a State road from Johnson's mills, in Christian county, to Cadiz, in Trigg county.

2. Mr. Harrison presented the remonstrance of sundry citizens of Christian county, against the extension of the limits of the town of Hopkinsville.

3. Mr. Armstrong presented the petition of the devisees of John Bradshaw, deceased, praying the passage of a law authorizing a sale of certain real estate.

4. Mr. Haggard presented the petition of E. H. Wilson, praying that he be allowed to import into this State a slave.

5. Mr. Evans presented the petition of sundry citizens of Greenup county, praying the passage of a law regulating the sale of spirituous liquors in said county.

6. Mr. Stevenson presented the petition of T. & L. P. Holloday, praying the passage of a law authorizing the county court of Nicholas to grant them a license to sell spirituous liquors, &c., at a room provided for that purpose detached from their tavern house.

Which were received, the reading thereof dispensed with, and referred: the 1st to the committee on Internal Improvement; the 2d, 3d, 4th and 6th to the committee on the Judiciary, and the 5th to the committee on Ways and Means,

Leave was given to bring in the following bills, viz:

On the motion of Mr. Spalding—1. A bill to change the time of holding the chancery court, of Union county.

On the motion of Mr. J. Elliott—2. A bill to sell a part of the public ground in West Liberty.

On the motion of Mr. Fletcher—3. A bill for the benefit of Thomas May.

On the motion of Mr. Hager—4. A bill for the benefit of Thomas Hagers, late sheriff of Breathitt county.

On the motion of Mr. Mayhall—5. A bill to prevent the malpractice of empyrical and quack physicians.

On the motion of Mr. Alnut—6. A bill to allow an additional Justice of the Peace to the county of Owen.

On the motion of Mr. Crockett—7. A bill to repeal an act, entitled, an act to regulate the administration and settlement of estates, approved February 20, 1839.

On the motion of Mr. Cobb—8. A bill to regulate the appointment of Trustees for the Knox County Seminary, and for other purposes.

Ordered, That Messrs. Spalding, Evans and Haggard prepare and bring in the 1st; Messrs. J. Elliott, English and Cobb the 2d: the committee on Internal Improvement the 3d; Messrs. J. Elliott, Hager and Morton the 4th; Messrs. Mayhall, Haggard and Owens the 5th; Messrs. Alnut, Ireland and Spalding the 6th; the committee on the Judiciary the 7th, and Messrs. Cobb, English and Foley the 8th.

On motion of Mr. Bush,

Resolved, That this House will, for the remainder of the session, meet at half past 9 o'clock, A. M.

On motion of Mr. Phillips,

Ordered, That leave of absence be granted Mr. Thompson until Tuesday next.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Graves—1. A bill to improve and keep open the navigation of the Rolling fork.

By Mr. Soery—2. A bill to change the State road from Hopkinsville to Gray's ferry.

By Mr. Foley—3. A bill to change the time of holding the spring term of the Whitley circuit court.

By the committee on the Judiciary—4. A bill for the benefit of A. M., Clifford N., Henry B., & Sydney T. Fontaine.

By same—5. A bill for the benefit of Ann Neal and others.

By same—6. A bill to allow an additional constable to Pulaski county.

By same—7. A bill for the benefit of William T. Samuels.

By same—8. A bill for the benefit of John W. Holtzclaw.

By same—9. A bill to incorporate the First Universalist Society of the city of Louisville.

By same—10. A bill to change the name of Noah Sowders, William M. DeCoursey, David S. Lusk and Sally Muncy.

By same—11. A bill to amend an act, entitled, an act to establish a Library Association at Louisville, approved February 5, 1842.

By same—12. A bill for the benefit of David and Opie J. Lindsey, Trustees under the will of Thomas Lindsey, deceased.

By same—13. A bill for the benefit of the town of Portland.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st was referred to the committee on Internal Improvement, and the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th and 13th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th and 13th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr Page, from the committee on the Judiciary, reported a bill for the benefit of John Tanner, which was read the first time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That John Tanner, being under the age of twenty one years, be and he is hereby declared eligible in law, to be appointed clerk of any court within this Commonwealth, and to be examined in the presence of the Judges of the Court of Appeals, and receive their certificate, which shall be necessary to said appointment, as though he, Tanner, were of full age; and any official bond which may be given, should he be appointed clerk, shall be personally binding on him in all respects, as if he were of full age.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of the bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Oglesby, were as follows, viz :

Those who voted in the affirmative, were—

Mr. Speaker,	Evans,	Munford,
Messrs. Abell,	Gilbert,	Owens,
Alexander,	Haggard,	Page,
Alnut,	Hager,	Phillips,
Bell,	Hall,	Procter,
Board,	Hanson,	Reed,
Bowman,	Hobbs,	Rhea,
Cobb,	Hoy,	Soery,
Crawford,	Ireland,	Stewart,
Crockett,	Johnston,	Vertress,
Covington,	Jones, J. R.	Wade,
Devereux,	Mansfield,	Walker,
Dickerson,	Mayhall,	Wortham,
Elliott, J.	McCallister,	Wright,
Elliott, M.	Meriwether,	Young—47.
English,	Morton,	

Those who voted in the negative, were—

Messrs. Beeler,	Foley,	Oglesby,
Botts, A. G.	Glenn,	Poor,
Bowmar,	Graves,	Riddle,
Boyd,	Harrison,	Rouse,
Brown,	Hay,	Smith,
Bush,	Irvine, D.	Spalding,

Clarke,
Coleman,
Desha,
Durbin,
Fletcher,

Irvine, J.
Jordan,
Marshall,
McArthur,
Mitchell,

Spurr,
Stevens,
Talbutt,
Wheeler—32.

Resolved, That the title thereof be as aforesaid.

A message was received from the Governor, by Mr. Kinkead, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of the trustees of the town of Russellville.

An act to amend an act to incorporate the Bank Lick Turnpike Road Company.

An act concerning the jail of Shelby county, and for other purposes.

An act for the benefit of the trustees of Williamstown.

An act for the benefit of Richard Myers, and to legalize the proceedings of the 17th Regiment Kentucky Militia.

An act to allow additional Justices of the Peace to the counties of Pendleton and Hart.

An act for the benefit of Lois Smallwood.

An act for the benefit of James M. McMillen.

An act for the benefit of Conrod Havens.

An act providing for the support of an additional number of pupils in the Deaf and Dumb Asylum at Danville.

An act for the benefit of Uriah Pool.

An act to change the Spring and Fall terms of the Warren Circuit Court.

An act to amend an act, entitled, an act for the benefit of the trustees of the town of Bowlinggreen.

An act to establish the town of Dycusburg, in the county of Crittenden

An act to amend the penal laws.

An act to authorize the Chancellor of the Louisville Chancery Court to sign law license.

An act for removing obstructions in Little Sandy river, and to extend the navigation thereof.

An act for the benefit of James McKenzie and others.

An act to extend the Constable's District around the town of Murray, in Calloway county.

An act for the benefit of Charles W. Dean.

An act for the benefit of Hugh Lynn Gilkerson.

An act to amend the act incorporating the towns of Blanville, in Ballard county; Clarksburg, in Lewis county; and Hawesville, in Hancock county.

An act for the benefit of certain Sheriffs and the late Clerk of the county of Clay.

An act for the benefit of Fielding McDuffie.

Approved February 3, 1847.

Mr. Page, from the committee on the Judiciary, to whom was referred a bill concerning Justices of the Peace, reported the same with amendments, which were concurred in.

The said bill, as amended, reads as follows, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That from and after the passage of this act, if any Justice of the Peace in this Commonwealth, shall hereafter receive any money on a judgment rendered in his office, or on any bond having the force of a judgment, or on account of any fines in favor of the Commonwealth, and shall fail or refuse to pay the same over to the person or persons entitled thereto, or to his, her, or their lawful agent, or attorney, upon demand, at his residence, or usual place of business, he shall be guilty of a high misdemeanor, and upon conviction thereof, upon the indictment of a grand jury, shall be subject to fine and imprisonment at the discretion of a jury.

Sec. 2. That the plaintiff in any judgment rendered under this act, shall have the right to an execution against the body or estate of any such Justice convicted under this act: *Provided,* that nothing in this act contained, shall be so construed to authorize Justices of the Peace to receive the money due on judgments, or on bonds, or recognizances, having the force of judgments, so as to operate as a satisfaction of the same, unless the money shall actually be paid over to the person or persons entitled thereto.

Mr. Glenn moved the following amendment as a substitute for said bill, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That hereafter, if any officer, commissioned agent, receiver, or holder of any money or property, or any State bonds, coupons, or other State securities, shall fraudulently sell, dispose of, embezzle, or refuse to pay over the same to the person or persons legally authorized to receive the same, he or they shall be deemed guilty of felony, and upon conviction, shall undergo a confinement in the jail and penitentiary of this State for any period not less than two nor more than ten years.

Sec. 2. *Be it further enacted,* That if any person shall aid, abet, advise, or countenance, any public officer, or person, in the accomplishment of any of the above named acts, or aid, advise, or countenance, in any manner, to cheat, swindle, or withhold from this Commonwealth, or any other person, he shall be guilty of felony, and upon conviction, shall undergo a confinement in the Penitentiary of this State, for any period not less than one nor more than five years.

Sec. 3. *Be it further enacted,* That it shall be the duty of the Commonwealth Attorney's of this State, to cause the appropriate process to issue to cause witnesses to appear before the grand jury of any county where such offence may be committed, and if necessary may cause copies of the public record to be made out, read and used before the grand jury, and on the final

trial of the cause: *Provided*, That this act shall not be construed to apply to any officer who may have executed bond with approved security for the faithful performance of his duties.

Mr. Wade moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Glenn and Wade were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Beeler,	Harrison,	Phillips,
Board,	Ireland,	Riddle,
Bowmar,	Johnston,	Spurr,
Clarke,	Jones, J. R.	Stevens,
Coleman,	Meriwether,	Talbutt,
Durbin,	Mitchell,	Wade,
Elliott, J.	Moore,	Wheeler,
English,	Owens,	Wright—25.
Hanson,		

Those who voted in the negative, were—

Mr. Speaker,	Foley,	Morton,
Messrs. Abell,	Gilbert,	Munford,
Alnut,	Glenn,	Oglesby,
Botts, A. G.	Graves,	Page,
Bowman,	Haggard,	Poor,
Boyd,	Hager,	Procter,
Brown,	Hall,	Rhea,
Bush,	Hay,	Rouse,
Cobb,	Hobbs,	Smith,
Crawford,	Hoy,	Soery,
Crockett,	Irvine, D.	Spalding,
Covington,	Irvine, J.	Stevenson,
Desha,	Jones, W. L.	Stewart,
Devereux,	Jordan,	Towles,
Dickerson,	Mansfield,	Vertress,
Elliott, M.	Marshall,	Walker,
Evans,	McArthur,	White,
Fletcher,	McCallister,	Wortham—54.

Mr. D. Irvine raised the point of order, whether the amendment proposed by Mr. Glenn was in order, and the Speaker decided that it was not in order.

Mr. Evans moved to re-commit said bill to the committee on the Judiciary, with instructions to report a general bill against swindling.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House then took up the bill to amend the law in relation to executors, administrators, curators and guardians,

The said bill was then amended, and as amended, reads as follows, viz :

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of all executors, administrators, curators and guardians, who may be hereafter appointed, to go before the county court by whom they were respectively appointed, at the expiration of every two years from the time of such appointment, or at or before the second term of said court thereafter, and with good security, to be approved of by said court, execute new bond, in such penalty as the court may direct: *Provided*, said court are of opinion said security is insufficient.

SEC. 2. *Be it further enacted*, That it shall be the duty of all executors, administrators, curators and guardians, who have heretofore been appointed, and whose duties, as such, have not been wound up during the present year, 1847, and every two years thereafter, during the time they may act as such, to go before the county court by whom they were respectively appointed, at or before the second term after the expiration of each two years, and with good security, to be approved of by said court, execute new bond, in such penalty as said court may direct: *Provided*, said court deem the security insufficient.

SEC. 3. *Be it further enacted*, That it shall be the duty of the several county court clerks of this Commonwealth to keep a regular docket of all the executors, administrators, curators and guardians hereafter appointed by said courts, showing the time when appointed, and when their bonds may be renewed under the first section of this act; and, also, to place on said docket all cases where bonds may be renewed under the second section of this act. It shall also be the duty of said clerks to report to said courts, from time to time, all such as shall fail to comply with the requisitions of said first and second sections.

SEC. 4. *Be it further enacted*, That when any executor, administrator, curator or guardian shall fail to renew their bonds as required by this act, it shall be the duty of the several county courts of this Commonwealth to have a summons issued against any such executor, administrator, curator or guardian, returnable at the succeeding term, to show cause why he shall not be removed for failing to renew his, her, or their said bond; and for failing to renew their said bonds, unless for good cause shown upon the return of the summons executed, the said court shall remove any such executor, administrator, curator or guardian, and direct the commissioners of accounts to issue summons against them to attend before said commissioners and settle their accounts, as such, and as required by the 5th section of "an act regulating the mode of settling the accounts of executors, administrators, and guardians," approved February 24, 1834: *Provided, however*, that if any executor, administrator, curator or guardian should, at the time of such removal, be engaged, in his representative capacity, in any law suit, either as plaintiff or defendant, it shall be the duty of such removed executor, administrator, curator or guardian to attend to said litigation as if they had not been removed until a successor has been duly appointed by the court.

SEC. 5. *Be it further enacted*, That in all cases where any executor, administrator, curator or guardian shall be removed under the provisions of this act, the several county courts of this Commonwealth are hereby vested with full power to appoint a new executor, administrator, curator or guardian, as the case may be, as if none had been before appointed; and it shall

be the duty of such removed executor, administrator, curator or guardian to pay over all assets in his hands to the new executor, administrator, curator or guardian.

SEC. 6. *Be it further enacted*, That it shall be the duty of executors, administrators, curators and guardians to keep a regular and true account of all sums collected and disbursed by them, of whom, and when collected, including any interest they may have received, to whom, and when paid out; a copy of which account shall be filed with the commissioners of accounts, and sworn to as full and complete by said executor, administrator, curator and guardian, as the case may be, when they are about to settle up the estate of which they are executor, administrator, curator or guardian. Said commissioners are hereby directed and authorized to swear said executors, administrators, curators or guardians to said account, required to be rendered; which account, with a certificate of such oath thereon endorsed by said commissioners, shall be returned by them with their report of settlement, and remain on file with it in the clerk's office.

SEC. 7. *Be it further enacted*, That, hereafter, the 6 per cent. interest with which guardians are now by law chargeable, shall be compounded every two years, and the interest become principal.

SEC. 8. *Be it further enacted*, That it shall be the duty of every executor, administrator, curator and guardian, hereafter appointed, once in every two years, to make out a true and full account of all funds and estate which may have come to their hands, and how the same may have been managed and administered; which account or report, said executors, administrators, curators and guardians shall present to the county court of the county by whom they were appointed, and swear to the correctness of the same; and by said court it shall be ordered to be recorded in the clerk's office of said court; and the failure of any executor, administrator, curator or guardian to comply with the provisions of this section, shall be good cause for removal, upon the motion of any party interested: *Provided*, said account or report shall not be evidence for said executors, administrators, curators or guardians.

SEC. 9. *Be it further enacted*, That the several clerks of county courts and commissioners of accounts shall be authorized to charge such fees for any services required of them by this act as they are now authorized by law to charge for similar services. This act shall be in force from and after its passage.

Mr. Graves moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Owens, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,
Armstrong,
Beeler,
Bell,
Board,
Botts, A. G.
Bowman,

Covington,
Desha,
Elliott, J.
English,
Gilbert,
Graves,
Hall,

Jordan,
Mansfield,
Marshall,
Meriwether,
Moore,
Owens,
Poor,

Bowmar,
Boyd,
Brown,
Clarke,
Cobb,
Coleman,

Hanson,
Harrison,
Hay,
Ireland,
Johnston,
Jones, J. R.

Soery,
Spalding,
Stevens,
Talbutt,
Wade,
Wortham—39.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell,
Alnut,
Botts, W. S.
Bush,
Crawford,
Crockett,
Devereux,
Dickerson,
Durbin,
Elliott, M.
Fletcher,
Foley,
Glenn,
Haggard,

Hager,
Hobbs,
Hoy,
Irvine, D.
Irvine, J.
Mayhall,
McArthur,
McCallister,
Mitchell,
Morton,
Munford,
Oglesby,
Page,
Pearl,
Phillips,

Procter
Reed,
Rhea,
Riddle,
Rouse,
Smith,
Spurr,
Stevenson,
Stewart,
Vertress,
Walker,
Waller,
Wheeler,
White,
Wright—45.

Ordered, That said bill be engrossed and read a third time.

Mr Glenn moved that said bill have its third reading now.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wortham and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alnut,
Crockett,
Devereux,
Dickerson,
Durbin,
Elliott, M.
Glenn,
Haggard,
Hager,
Hanson,
Hoy,
Irvine, D.

Irvine, J.
Mayhall,
McArthur,
McCallister,
Mitchell,
Moore,
Morton,
Page,
Pearl,
Phillips,
Poor,
Procter,

Rhea,
Riddle,
Rouse,
Smith,
Spalding,
Spurr,
Towles,
Walker,
Waller,
Wheeler,
White,
Wright—37.

Those who voted in the negative, were—

Messrs. Abell,
Alexander,
Armstrong,
Beeler,
Bell,

Crawford,
Covington,
Desha,
Elliott, J.
English,

Johnston,
Jones, J. R.
Jones, W. L.
Jordan,
Mansfield,

Board,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Brown,
Bush,
Clarke,
Coleman,

Evans,
Fletcher,
Gilbert,
Graves,
Hall,
Harrison,
Hay,
Hobbs,
Ireland,

Meriwether,
Munford,
Oglesby,
Owens,
Soery,
Stevens,
Vertress,
Wade,
Wortham—43.

And then the House adjourned.

MONDAY, FEBRUARY 8, 1847.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act for the benefit of the Baptist Church, and Church of Christ, in Simpsonville.

An act for the benefit of John R. Ringo.

An act for the benefit of Elias P. Davis and others.

An act for the benefit of the sheriff of Calloway county.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of James C. Brewer, commissioner of tax for Perry county.

An act to allow an additional constable to Boone county.

An act making copies of water leases, which have been recorded, evidence.

That they had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to change the time of holding the Washington county court.

An act to legalize the proceedings of the Christian county court.

An act for the benefit of William G. Connell, surveyor of Trimble county.

An act for the benefit of Levi Pendley, of Hopkins county.

An act to change the time of holding the Pulaski circuit court, and for other purposes.

An act to legalize the proceedings of the Henderson county court, held the 4th Monday in June, 1846.

An act for the benefit of Bernard Simpson and wife, and William Bailey, of Adair county.

An act allowing an additional Justice of the Peace and constable to Henry county.

An act for the benefit of the Anderson Infantry.

An act to establish a road from Rochester, at the mouth of Muddy river, to Russellville.

An act for the benefit of the heirs of David Ramsey, deceased, of Hickman county.

1. Mr. Mitchell presented the petition of John Norton, praying the passage of a law compelling the President and Directors of the Lexington, Nicholasville, Lancaster and Danville Turnpike Company to settle their accounts.

2. Mr. Graves presented the petition of sundry citizens of Marion county, praying an appropriation to improve the navigation of the Rolling fork of Salt river.

3. Mr. Mitchell presented the petition of the heirs of Thomas Downton, deceased, praying the passage of a law authorizing the sale of certain real estate.

4. Mr. Harrison presented the petition of sundry citizens of the town of Hopkinsville, praying for the incorporation of water works in said town.

5. Mr. J. Elliott presented the remonstrance of sundry citizens of Morgan county, against the allowance of an additional constable to said county.

6. Mr. Cobb presented the petition of William B. Kelly, of Harlan county, praying that additional compensation be made him for services rendered as commissioner of tax in said county.

7. Mr. M. Elliott presented the petition of sundry citizens of Pulaski county, praying the establishment of an election precinct in said county.

8. Mr. Cobb presented the petition of Moses Cawood, sheriff of Harlan county, praying that further time be allowed him to pay in the revenue yet due by him.

9. Mr. Smith presented the petition of John and Sophia Helm, praying the passage of a law authorizing the conveyance of certain lands sold by Thomas D. Helm in his life time.

Which were received, the reading thereof dispensed with, and referred; the 1st and 2d to the committee on Internal Improvement; the 3d and 4th to the committee on the Judiciary; the 5th to Messrs. Riddle, Spurr and D. Irvine; the 6th to the committee on Claims; the 7th to the committee on Privileges and Elections; the 8th to the committee on Ways and Means, and the 9th to Messrs. Smith, Crockett, Mayhall and Waller.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to allow a change of venue to Milton Martin.

An act to incorporate the Covington Collegiate Institute.

An act for the benefit of Shiloh and Olivet Churches, in Shelby county.

An act for the benefit of William F. Scanland, surveyor of Marion county.

An act to incorporate the Shepherdsville Iron Manufacturing Company.

An act for the benefit of Sophia Catharine Backman.

An act to reduce the price of vacant lands in Casey county.

An act for the benefit of the coroner and surveyor of Owen county.

An act to change the district of Wesley Orear, a constable of Montgomery county.

An act legalizing transcript of minute book B. of the County Court of Cumberland county.

An act for the benefit of William Elliott, of Ballard county.

An act to amend an act, entitled, an act for the benefit of Harrison Rankins, and wife and children.

An act to change the place of comparing the polls in the counties of Morgan and Breathitt.

An act providing for a change of venue in the prosecution against William Darneall.

An act for the benefit of Paschal D. Craddock.

An act for the benefit of Lovey Wharton and Sarah Graham.

An act to change a Constable's district in Union county.

An act to incorporate an additional Fire Company in the town of Frankfort.

Also, enrolled bills which originated in the Senate of the following titles, viz :

An act for the benefit of Rebecca Morrison and the heirs of Joseph A. Morrison, deceased.

An act to amend an act, entitled, an act to incorporate the Grand Lodge of the Independent Order of Odd Fellows of the State of Kentucky, approved February 16, 1838.

An act for the benefit of John Moss, of Hickman county.

An act better to define the duties of surveyors in this Commonwealth.

An act for the benefit of Zattée Cushing.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Leave was given to bring in the following bills, viz :

On the motion of Mr. McArthur—1. A bill to authorize the county court of Campbell to change the State road from Falmouth to New Port, by way of Grant's Lick.

On motion of Mr. Williams—2. A bill to make it actionable to charge a person with swearing a lie.

Ordered, That Messrs. McArthur, Wheeler and Rouse prepare and bring in the 1st, and the committee on the Judiciary the 2d.

Mr. Hobbs read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on next Saturday, proceed to the election of Public Officers.

Bills from the Senate, of the following titles, viz:

1. An act for the benefit of Jonathan Williams.
2. An act to authorize toll gate No. 3, on the Georgetown and Williamstown Turnpike Road, and for other purposes.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The 1st was referred to the committee on Religion, and the second to the committee on Internal Improvement.

The House resumed the consideration of the bill concerning Justices of the Peace.

Ordered, That said bill be re-committed to the committee on the Judiciary, with the instructions proposed by Mr. Evans on Saturday last.

Mr. Page, from the committee on the Judiciary, to whom was referred a bill to regulate the terms of the Scott circuit court, and for other purposes, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill for the benefit of D. J. Dodge.

By same—2. A bill for the benefit of the town of Madisonville, in Hopkins county.

By same—3. A bill for the benefit of John Collingham and wife.

By same—4. A bill for the relief of emigrants,

By same—5. A bill for the benefit of Taylor Pember.

By the committee on Religion—6. A bill to change the name of James Thomas to that of James Thomas Irvine.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. W. S. Botts, from the committee to whom was referred a bill to increase the liabilities of sheriffs and their deputies, reported the same with an amendment as a substitute for said bill, which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. A. G. Botts, from the committee on Religion, reported a bill to divorce Cyrus Pharis, from his wife, Mary Pharis, which was read the first time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Cyrus Pharis be, and he is hereby divorced from his wife, Mary Pharis, and restored to all the rights and privileges of a single person.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill by Messrs. Young and A. G. Botts, were as follows, viz :

Those who voted in the affirmative, were—

Mr. Speaker,	Glenn,	Oglesby,
Messrs. Abell,	Haggard,	Owens,
Alexander,	Hager,	Poor,
Alaut,	Hanson,	Reed,
Board,	Harrison,	Rhea,
Botts, W. S.	Hord,	Riddle,
Bowmar,	Hoy,	Rouse,
Boyd,	Ireland,	Smith,
Brown,	Irvine, J.	Soery,
Bush,	Johnston,	Spalding,
Crawford,	Jones, J. R.	Stevens,
Crockett,	Jordan,	Stevenson,
Dickerson,	Mansfield,	Stewart,
Durbin,	Marshall,	Towles,
Elliott, J.	Mayhall,	Wade,
English,	McArthur,	Waller,
Evans,	McCallister,	Wheeler,
Fletcher,	Meriwether,	White,
Foley,	Moore,	Williams,
Gilbert,	Morton,	Wortham—60.

Those who voted in the negative, were—

Messrs. Bell,	Elliott, M.	Pearl,
Botts, A. G.	Graves,	Phillips,

Bowman,
Bradford,
Clarke,
Coleman,
Covington,
Desha,
Devereux,

Hall,
Hay,
Hobbs,
Irvine, D.
Mitchell,
Munford,
Page,

Procter,
Spurr,
Talbutt,
Vertress,
Wright,
Young—26.

Mr. A. G. Botts, from the same committee, to whom was referred the petition of William Goodridge, Sr., praying for a divorce, reported the same with the following resolution, viz :

Resolved, That said petition be rejected.

Mr. Rouse moved to amend said resolution by striking out "be rejected" and inserting is "reasonable."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Procter and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Messrs. Abell,
Alexander,
Alnut,
Beeler,
Board,
Crawford,
Desha,
Dickerson,
Elliott, J.
English,
Evans,
Glenn,

Haggard,
Hager,
Hord,
Hoy,
Jones, W. L.
Jordan,
Mansfield,
Marshall,
McArthur,
McCallister,
Morton,

Oglesby,
Owens,
Rouse,
Soery,
Spalding,
Stevens,
Stewart,
Towles,
Wade,
White,
Wright—34.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Bell,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Bush,
Clarke,
Coleman,
Crockett,
Covington,
Devereux,
Durbán,
Elliott, M.

Foley,
Gilbert,
Graves,
Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Ireland,
Irvine, D.
Irvine, J.
Johnston,
Jones, J. R.
Mayhall,
Mitchell,
Moore,
Munford,

Page,
Pearl,
Phillips,
Poor,
Procter,
Reed,
Rhea,
Riddle,
Smith,
Spurr,
Talbutt,
Vertress,
Wheeler,
Williams,
Wortham,
Young—50.

Mr. A. G. Botts, from the committee on Religion, to whom was referred the petition of William Pennington; the petition of David Bowerman, each praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Mitchell, from the committee to whom was referred the bill to amend the rules of chancery practice, reported the same with amendments, which were concurred in.

Ordered, That said bill be referred to a committee of the whole for Wednesday next, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. Desha moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of so amending the act, entitled, an act to regulate the administration and settlement of estates, approved February 20th, 1839, as to expedite and lessen the cost of such settlements.

Which was adopted.

The House then resolved itself into a committee of the whole on the bill to incorporate the Licking and Lexington Railroad Company; Mr. Desha in the Chair; and after some timespent therein the Speaker resumed the Chair, when Mr. Desha reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

TUESDAY, FEBRUARY 9, 1847.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act to repeal the law authorizing deeds to be recorded in the office of the Court of Appeals and General Court.

That they had passed bills of the following titles, viz:

An act to amend the revenue laws.

An act requiring the clerk of the Green county court to qualify William B. Carlisle as sheriff of said county.

An act for the benefit of the Trustees of the town of Shepherdsville, in Bullitt county.

An act to legalize the proceedings of the Green county court in appointing William B. Allen, administrator of John H. Aikin, deceased.

An act for the benefit of the town of Smithland.

1. Mr. Tandy presented the petition of sundry citizens of Gallatin county, praying an extension of the law giving liens to the mechanics of Louisville, to the mechanics of said county.

2. Mr. Covington presented the petition of James Ford and Thomas L. Stephens, praying that they may be reinvested with the title to ten acres of land conveyed to them by the Commonwealth.

3. Mr. Gilbert presented the petition of Greenberry Reynolds, praying permission to build a dam on Salt river.

4. Mr. Page presented the petition of A. B. F. Livingston, praying that compensation be made him for services rendered in the prosecution against John A. Duff, for removing him from the office of surveyor of Perry county.

5. Also, the petition of Sylvester Thomas, praying the passage of a law declaring and confirming his name to be that of Sylvester Thomas.

6. Mr. Munford presented the petition of William R. Bishop, praying that permission be given him to retail spirituous liquors or peddle goods, without license.

7. Mr. Dickerson presented the petition of sundry voters residing near Big Eagle election precinct, in Scott county, praying a change in the place of voting therein.

8. Mr. Reed presented the petition of John Penn, praying to be divorced from his wife, Martha Jane Penn.

9. Also, the petition of John Hathaway, praying to be divorced from his wife, Sarah Ann Hathaway.

Which were received, the reading thereof dispensed with, and referred: the 1st and 5th to the committee on the Judiciary; the 2d and 3d to the committee on Internal Improvement; the 4th to the committee on Claims; the 6th to the committee on Ways and Means; the 7th to the committee on Privileges and Elections, and the 8th and 9th to the committee on Religion.

Mr. Covington, from the committee, to whom was referred the memorial in relation to Cain A. McCaughan, surveyor of Trigg county, moved the following resolution, viz:

Resolved, That in consequence of irregularity in the proceedings of the petitioner, in the prosecution against the surveyor of Trigg county, for high crimes and misdemeanors in office, it is the opinion of this committee, that they ought to be discharged from the further consideration of the matter referred to them.

Which was concurred in.

On motion of Mr. Covington,

Ordered, That said memorial and accompanying documents be withdrawn, and they were accordingly withdrawn.

On the motion of Mr. W. S. Botts, leave was given to bring in a bill for the benefit of Jeff Evans, of the county of Greenup.

Ordered, That Messrs. W. S. Botts, Procter and Crawford prepare and bring in the same.

Mr. Graves, from the committee appointed to prepare and bring in the same, reported a bill making an appropriation for clearing out the obstructions in the Rolling fork.

Which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with.

It was referred to the committee on Internal Improvement.

Mr. A. G. Botts, from the committee on Religion, to whom was referred the petition of Anderson R. Murray, praying for a divorce, reported the same with the following resolution, viz :

Resolved, That said petition be rejected.

Mr. Alexander moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the negative.

The said resolution was then concurred in.

Mr. A. G. Botts, from the same committee, to whom was referred the petition of Louisa Hagins, praying for a divorce, reported the same with the following resolution, viz :

Resolved, That said petition be rejected.

Mr. White moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. A. G. Botts, from the same committee, to whom was referred the petition of Thomas Cook, praying for a divorce, reported the same with the following resolution, viz :

Resolved, That said petition be rejected.

Mr. Mayhall moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the negative.

The said resolution was then concurred in.

Mr. A. G. Botts, from said committee, to whom was referred the petition of Nelson Anderson; the petition of Levi Crawley; the petition of John Whalin; the petition of Edward R. Sumpter and Elizabeth Sumpter; the petition of John Begley; the petition of Richard B. Neal; the petition of Joy Babbitt; the petition of Stephen Carpenter; the petition of James and Elizabeth Armstrong; the petition of Joseph Sames; the petition of David Men-

ser; the petition of John Byland, and the petition of Ellen Honeycut, each praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. A. G. Botts, from the committee on Religion, to whom was referred bills from the Senate of the following titles, viz:

1. An act to divorce Letitia Ann Casey, and to restore her to her maiden name.

2. An act divorcing Catharine W. Hutchison from her husband, Parker N. Hutchison.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The yeas and nays being required on the passage of the first bill, by Messrs. Armstrong and Ireland, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Foley,	Oglesby,
Messrs. Alexander,	Glenn,	Owens,
Beeler,	Haggard,	Reed,
Board,	Hager,	Rhea,
Bowman,	Hall,	Rouse,
Bowmar,	Hobbs,	Smith,
Boyd,	Hord,	Soery,
Brown,	Hoy,	Spalding,
Coleman,	Irvine, J.	Stevens,
Crawford,	Jordan,	Stewart,
Crockett,	Mansfield,	Thompson,
Devereux,	Marshall,	Towles,
Dickerson,	Mayhall,	Walker,
Durbin,	McArthur,	Waller,
Elliott, J.	McCallister,	Wheeler,
English,	Meriwether,	White,
Evans,	Morton,	Wortham—52.
Fletcher,		

Those who voted in the negative, were—

Messrs. Abell,	Hanson,	Pearl,
Alnut,	Harrison,	Phillips,
Armstrong,	Hay,	Poor,
Botts, A. G.	Ireland,	Procter,
Botts, W. S.	Irvine, D.	Riddle,
Bradford,	Johnston,	Spurr,

Bush,
Clarke,
Covington,
Désa,
Elliott, M.
Gilbert,
Graves,

Jones, J. R.
Jones, W. L.
McHenry,
Mitchell,
Moore,
Munford,
Page,

Talbutt,
Tandy,
Thomas,
Vertress,
Wade,
Williams,
Young—39.

Mr. A. G. Botts, from the same committee, to whom was referred a bill from the Senate, entitled, an act to divorce John S. Petty, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. A. G. Botts, from the same committee, to whom was referred the petition of Mahala E. Askins, praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Mayhall moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. A. G. Botts, from the same committee, to whom was referred the bill of Phebe Wilkerson, praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Johnston moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. Irvine and Bush, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Board,
Crawford,
Crockett,
Devereux,
Elliott, J.
English,
Evans,
Fletcher,
Glenn,
Haggard,
Hager,
Hord,

Hoy,
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Marshall,
Mayhall,
McArthur,
McCallister,
Morton,
Oglesby,
Owens,

Pearl,
Reed,
Smith,
Soery,
Spalding,
Stevens,
Thompson,
Towles,
Wade,
Walker,
Wheeler—35.

Those who voted in the negative, were—

Mr. Speaker,	Dickerson,	Moore,
Messrs. Abell,	Durbin,	Munford,
Alexander,	Elliott, M.	Page,
Alnut,	Foley,	Phillips,
Armstrong,	Gilbert,	Poor,
Beeler,	Graves,	Procter,
Bell,	Hall,	Rhea,
Botts, A. G.	Hanson,	Riddle,
Botts, W. S.	Harrison,	Spurr,
Bowman,	Hay,	Stevenson,
Bowmar,	Hobbs,	Stewart,
Bradford,	Ireland,	Tandy,
Brown,	Irvine, D.	Thomas,
Bush,	Irvine, J.	Vertress,
Clarke,	Jones, W. L.	White,
Coleman,	McHenry,	Williams,
Covington,	Meriwether,	Wortham,
Desha,	Mitchell,	Young—54.

The House again resolved itself into a committee of the whole on the bill to incorporate the Licking and Lexington Railroad Company; Mr. Desha in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr Desha reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

On motion of Mr. Haggard,

Ordered, That Mr. Alnut be added to the committee appointed to visit the Lunatic Asylum, and investigate the charges made against the same.

And then the House adjourned.

WEDNESDAY, FEBRUARY 10, 1847.

A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act for the benefit of A. M., Clifford N., Henry B., and Sydney F. Fontaine.

That they had passed bills from this House, of the following titles, viz:

An act authorizing John Woodburn to import a slave into this Commonwealth.

An act directing special terms of the circuit courts of Bath, Estill and Lewis counties.

An act for the benefit of Elizabeth Bouren and her children.

An act to reduce the number of Justices of the Peace of Anderson county.

An act extending the constable's district including Williamstown, in Grant county, and the district of Robert C. Sweeney, a constable of Russell county.

An act to allow an additional Justice of the Peace to the county of Casey.

An act for the benefit of George W. Jones and others.

An act to amend the charter of the city of Louisville, and for other purposes.

An act to change the name of Pinchico to that of Rogersville, and for purposes.

An act for the benefit of Winston Mayo, clerk of the Johnson circuit court, and for other purposes.

An act for the benefit of Joseph C. Linn.

An act to change the State road from Hopkinsville to Gray's ferry.

An act to change the time of holding the spring term of the Whitley circuit court.

An act to allow an additional constable to Pulaski county.

An act for the benefit of John William Holtzclaw.

An act to change the name of Noah Sowders, William DeCoursey, David S. Lusk and Sally Muncey.

An act to amend the law in reference to guardians and wards.

An act to amend an act, entitled, an act to reduce into one the several acts in relation to the town of Danville, and for other purposes, approved February 16, 1846.

An act for the benefit of James Purvis and others, of Green county.

An act for the benefit of Ann Neal and others.

An act for the benefit of the town of Portland.

With amendments to the five last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of Elizabeth Jane Smith and others.

An act to incorporate the Fireman's Insurance Company, of Lexington.

An act for the benefit of David Bell Fry and Mary Jane Fry.

An act allowing an additional Justice of the Peace to Caldwell county.

An act in relation to the duties of circuit and county court clerks of this Commonwealth.

An act for the benefit of the sheriff of Hopkins county.

And had adopted a resolution fixing a day for the election of Public Officers.

1. Mr. A. G. Botts presented the petition of Hampton B. Owens and Rebecca, his wife, praying the passage of a law authorizing the said Rebecca, who is under age, to join her husband in the sale and conveyance of certain real estate.

2. Mr. Graves presented the petition of Eli McAmelley, praying that the name of Albert G. Tapscott be changed to that of Albert G. McAmelley, and that he be made his legitimate son.

3. Also, the petition of the heirs of Margaret Fauntleroy, deceased, praying the passage of a law authorizing a sale of certain real estate descended to them.

4. Mr. Thompson presented the petition of C. T. Worley, praying the passage of a law allowing an additional number of members and a stand of arms to the Jessamine cavalry.

5. Mr. Evans presented the petition of Marcus Williams, praying the passage of a law authorizing him to convey a tract of land.

6. Mr. Page presented the petition of Daniel Drake, President of the Medical Department of the University of Louisville, praying a change in the name of the Physiological Temperance Society of the Medical Institute of Louisville.

Which were received, the reading thereof dispensed with, and referred; the 1st, 2d, 3d, 5th and 6th to the committee on the Judiciary, and the 4th to the committee on Military Affairs.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Spurr—1. A bill giving the defendant the right on application to the Judge, to require the plaintiff to give security for costs in common law.

On the motion of Mr. Covington—2. A bill to authorize the Board of Internal Improvement to settle its accounts with George B. Adams, special agent of the Board.

On the motion of Mr. Jordan—3. A bill to allow an additional constable for Mercer county, to live within one mile of Salvisa.

On the motion of Mr. Reed—4. A bill for the benefit of M. R. Stealey.

Ordered, That the committee on the Judiciary prepare and bring in the 1st; the committee on Internal Improvement the 2d; Messrs. Jordan, A. G. Botts and Bradford the 3d, and the committee on Propositions and Grievances the 4th.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Morton—1. A bill to regulate the time of holding the circuit courts in the 2d and 7th Judicial Districts, and for other purposes.

By Mr. Walker—2. A bill to change the name of Mary Elizabeth McFall and others.

By Mr. Mayhall—3. A bill to prevent the malpractice of empyrical and quack physicians.

By Mr. Poor—4. A bill requiring certain duties of Constables.

By Mr. Boyd—5. A bill giving the Livingston county court power to change the State road in said county, and for other purposes.

By the committee on Religion—6. A bill authorizing the sale of the Upper White Oak Church, in Bath county.

By the committee on Ways and Means—7. A bill for the benefit of William S. Patterson.

By same—8. A bill for the benefit of Christopher C. Lillard and others, late sheriffs of Anderson counties.

By same—9. A bill for the benefit of the sheriff of Owsley county.

By same—10. A bill for the benefit of the sheriff of Union.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st and 4th were referred to the committee on the Judiciary; the 2d, 5th, 6th, 7th, 8th, 9th and 10th were severally ordered to be engrossed and read a third time, and the 3d was referred to the committee on Agriculture and Manufactures.

The rule of the House, constitutional provision and third reading of the 2d, 5th, 6th, 7th, 8th, 9th and 10th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House then took up for consideration the resolution from the Senate fixing a day for the election of public officers.

The said resolution was then twice read and concurred in.

Mr. A. G. Botts, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act for the benefit of Jonathan Williams, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. A. G. Botts, from the same committee, reported a bill for the divorce of Elvira Chapman.

Which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was taken on the passage of said bill and decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Vertress and Mitchell, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Hord,	Poor,
Board,	Hoy,	Reed,
Boyd,	Johnston,	Rhea,
Cobb,	Jones, J. R.	Rouse,
Coleman,	Jones, W. L.	Smith,
Crawford,	Jordan,	Soery,
Crockett,	Mansfield,	Spalding,
Dickerson,	Marshall,	Stevens,
Elliott, J.	Mayhall,	Thompson,
English,	McArthur,	Towles,
Evans,	McCallister,	Wade,
Glenn,	Morton,	Walker,
Haggard,	Oglesby,	Wright—41.
Hager,	Owens,	

Those who voted in the negative, were—

Mr. Speaker,	Foley,	Page,
Messrs. Abell,	Gilbert,	Pearl,
Alnut,	Graves,	Phillips,
Armstrong,	Hall,	Procter,
Beeler,	Harrison,	Riddle,
Bell,	Hay,	Salter,
Botts, A. G.	Ireland,	Spurr,
Botts, W. S.	Irvine, D.	Talbutt,
Bowman,	Irvine, J.	Tandy,
Bradford,	Martin,	Thomas,
Brown,	McHenry,	Vertress,
Bush,	Meriwether,	White,
Clarke,	Mitchell,	Williams,
Covington,	Moore,	Wortham,
Durbin,	Munford,	Young—46.
Elliott, M.		

Mr. A. G. Botts, from the same committee, to whom was referred the petition of Mary Young, praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Salter moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Marshall and Pearl, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Board,	Hord,	Reed,
Crawford,	Mansfield,	Salter,

Dickerson,
Elliott, J.
English,
Evans,
Foley,

McCallister,
Morton,
Oglesby,
Pearl,

Thompson,
Towles,
Wheeler,
Wright—19.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell,
Alnut,
Armstrong,
Beeler,
Bell,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Bush,
Clarke,
Cobb,
Coleman,
Crockett,
Covington,
Desha,
Devereux,
Elliott, M.
Fletcher,
Gilbert,
Glenn,

Graves,
Haggard,
Hager,
Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Hoy,
Ireland,
Irvine, D.
Irvine, J.
Johnston,
Jones, W. L.
Jordan,
Marshall,
Martin,
Mayhall,
McArthur,
McHenry,
Meriwether,
Moore,
Munford,
Owens,

Page,
Phillips,
Poor,
Procter
Rhea,
Riddle,
Rouse,
Smith,
Soery,
Spalding.
Spurr,
Stevens,
Stevenson,
Stewart,
Talbutt,
Tandy,
Thomas,
Vertress,
Wade,
Walker,
White,
Williams,
Wortham,
Young—73.

The said resolution was then concurred in.

Mr. A. G. Botts, from the same committee, to whom was referred the petition of Susan McRoberts: the petition of Robert Fields, and the petition of William Newman, each praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. A. G. Botts, from the same committee, to whom was referred the petition of William Gibson, reported the same with the following resolution, viz:

Resolved, That said petition be rejectad.

Mr. Board moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. A. G. Botts, from the same committee, reported a bill for the divorce of Mahala E. Askins.

Which were read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. McHenry and Armstrong, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Harrison,	Rouse,
Board,	Hord,	Smith,
Coleman,	Hoy,	Soery,
Crawford,	Johnston,	Spalding,
Covington,	Jordan,	Stevens,
Dickerson,	Mansfield,	Talbutt,
Elliott, J.	Marshall,	Thompson,
English,	Mayhall,	Towles,
Evans,	McCallister,	Walker,
Glenn,	Morton,	Wheeler,
Haggard,	Oglesby,	Wortham,
Hager,	Reed,	Wright—36.

Those who voted in the negative, were—

Mr. Speaker,	Durbin,	Munford,
Messrs. Abell,	Elliott, M.	Owens,
Alnut,	Fletcher,	Page,
Armstrong,	Foley,	Pearl,
Beeler,	Gilbert,	Phillips,
Bell,	Hall,	Poor,
Botts, A. G.	Hanson,	Procter,
Botts, W. S.	Hay,	Rhea,
Bowman,	Hobbs,	Riddle,
Bowmar,	Ireland,	Spurr,
Boyd,	Irvine, D.	Stewart,
Bradford,	Irvine, J.	Tandy,
Brown,	Jones, J. R.	Thomas,
Bush,	Martin,	Vertrees,
Clarke,	McArthur,	Wade,
Cobb,	McHenry,	White,
Crockett,	Meriwether,	Williams,
Desha,	Mitchell,	Young—56.
Devereux,	Moore,	

A message was received from the Senate, by Mr. Wall, asking leave to withdraw their report announcing their disagreement to a bill from this House, entitled, an act for the benefit of A. M., Clifford N., Henry B., and Sydney T. Fontaine, which was granted, and the same was withdrawn.

Mr. A. G. Botts, from the committee on Religion, reported a bill for the divorce of Louisa Hagin.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of the bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Vertress, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Haggard,	Pearl,
Messrs. Alexander,	Hager,	Procter,
Alnut,	Hanson,	Rouse,
Beeler,	Hobbs,	Smith,
Board,	Hord,	Soery,
Boyd,	Hoy,	Spalding,
Brown,	Johnston,	Spurr,
Cobb,	Jones, J. R.	Stevens,
Coleman,	Jones, W. L.	Talbutt,
Crawford,	Jordan,	Tandy,
Crockett,	Mansfield,	Thompson,
Desha,	Marshall,	Towles,
Dickerson,	Mayhall,	Wade,
Durbin,	McArthur,	Walker,
Elliott, J.	McCallister,	Wheeler,
English,	Morton,	White,
Fletcher,	Oglesby,	Wright—53.
Glenn,	Owens,	

Those who voted in the negative, were—

Messrs. Abell,	Foley,	Mitchell,
Armstrong,	Gilbert,	Munford,
Bell,	Graves,	Page,
Botts, A. G.	Hall,	Phillips,
Botts, W. S.	Harrison,	Poor,
Bowman,	Hay,	Reed,
Bowmar,	Ireland,	Riddle,
Bradford,	Irvine, D.	Thomas,
Clarke,	Irvine, J.	Vertress,
Covington,	Martin,	Williams,
Devereux,	McHenry,	Wortham,
Elliott, M.	Meriwether,	Young—37.
Evans,		

Resolved, That the title thereof be as aforesaid.

Mr. Pearl moved a re-consideration of the vote rejecting the bill for the divorce of Elvira Chapman.

And the question being taken thereon, it was decided in the affirmative.

The question was again taken on the passage of said bill, and it was decided in the negative, and so the said bill was again rejected.

The yeas and nays being required thereon by Messrs. McHenry and A. G. Botts, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Johnston,	Smith,
Board,	Jones, W. L.	Soery,
Cobb,	Jordan,	Spalding,
Coleman,	Mansfield,	Stevens,
Crawford,	Marshall,	Talbutt,
Dickerson,	Mayhall,	Wade,
English,	Morton,	Walker,
Evans,	Oglesby,	Waller,
Glenn,	Owens,	Wheeler,
Haggard,	Reed,	Wright—31.
Hord,		

Those who voted in the negative, were—

Mr. Speaker,	Devereux,	Mitchell,
Messrs. Abell,	Durbin,	Munford,
Alnut,	Elliott, M.	Page,
Armstrong,	Fletcher,	Phillips,
Beeler,	Foley,	Poor,
Bell,	Gilbert,	Procter,
Botts, A. G.	Hager,	Rhea,
Botts, W. S.	Hall,	Riddle,
Bowman,	Hanson,	Rouse,
Bowmar,	Harrison,	Spurr,
Boyd,	Hay,	Stewart,
Bradford,	Hoy,	Tandy,
Brown,	Ireland,	Thomas,
Bush,	Irvine, D.	Vertress,
Clarke,	Irvine, J.	Williams,
Crockett,	Martin,	Wortham,
Covington,	McArthur,	Young—52.
Desha,	McHenry,	

Mr. Marshall asked leave to withdraw the petition of Elvira Chapman, which was granted, and the same was withdrawn.

Mr. Page, from the committee on Ways and Means, to whom was referred bills from the Senate of the following titles, viz:

1. An act for the benefit of James Miller, of Adair county.
2. An act for the benefit of the town of Winchester.

Reported the first without, and the second with, an amendment, which was concurred in.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the title thereof be as aforesaid.

Mr. Page, from the same committee, to whom was referred the petition of J. R. Walker, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Page, from the same committee, to whom was referred a bill for the benefit of James M. Shelly, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Page, from the same committee, to whom was referred a bill for the benefit of Charles Cains, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate, of the following titles, viz:

An act to repeal the second section of an act, entitled, "an act declaring certain deeds valid," approved March 2, 1844.

An act requiring the clerk of the Green county court to qualify William B. Carlisle as sheriff of said county.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

They were referred to the committee on the Judiciary.

The House then resolved itself into a committee of the whole on the bill to incorporate the Licking and Lexington Railroad Company; Mr. Desha in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Desha reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

THURSDAY, FEBRUARY 11, 1847.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act to incorporate the first Universalist Society of the city of Louisville.

That they had passed bills of the following titles, viz:

An act for the benefit of Isaac Gray, deputy sheriff of Caldwell county.

An act for the benefit of James Stinson, of Pulaski county.

An act for the benefit of Hannah Caldwell, of Livingston county.

An act to appoint a commissioner to settle the accounts of the Superintendent of Public Instruction.

That they had adopted a resolution fixing a day for the final adjournment of the General Assembly.

1. Mr. W. L. Jones presented the petition of the devisees of Reuben Miles, deceased, praying the passage of a law authorizing a sale of certain real estate devised to them by the will of said deceased.

2. Mr. English presented the petition of Martin W. Roberts, praying permission to change a part of the State road from London to Bedford, in Trimble county.

3. Mr. Dickerson presented the petition of Dr. John R. Desha, praying that he be permitted to import into this State certain slaves.

4. Mr. Pearl presented the petition of Ashley Owens, praying the passage of a law releasing him from the penalty incurred by a second marriage, during the existence of a marriage contract between him and a former wife.

5. Mr. Page presented the petition of J. P. Curtis & Co., praying relief as to certain lost coupons.

6. Also, the petition of J. V. Cowling, praying permission to bring into this State certain slaves.

Which were received, the reading thereof dispensed with, and referred to the committee on the Judiciary.

A message was received from the Governor, by Mr. Kinkead, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of William F. Scanland, Surveyor of Marion county.

An act for the benefit of Shiloh and Olivet churches, in Shelby county.

An act providing for a change of venue in the prosecution against William Darneall.

An act to allow a change of venue to Milton Martin.

An act to change the place of comparing the polls in the counties of Morgan and Breathitt.

An act to amend an act, entitled, an act for the benefit of Harrison Rankins and wife and children.

An act to incorporate the Covington Collegiate Institute.

An act for the benefit of the Coroner and Surveyor of Owen county.

An act to change the district of Wesley Orear, a Constable of Montgomery county.

An act to incorporate the Shepherdsville Iron Manufacturing Company.

An act for the benefit of Sophia Catharine Backman.

An act to reduce the price of vacant lands in Casey county.

An act for the benefit of Lovey Wharton and Sarah Graham.

An act to change a Constable's District in the county of Union.

An act to incorporate an additional fire company in the town of Frankfort.

An act legalizing transcript of Minute Book B, of the County Court of Cumberland county.

An act for the benefit of William Elliott, of Ballard county.

An act for the benefit of Paschal D. Craddock.

Approved February 9, 1847.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the House, entitled, an act for the benefit of the Baptist Church and Church of Christ, in Simpsonville, and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Bills from the Senate of the following titles, viz:

1. An act to incorporate the Kentucky State Colonization Society.
2. An act for the benefit of Martha Elizabeth Cleaveland.
3. An act to establish the town of Monterey, in Owen county.
4. An act to divorce Maria J. Shelby.
5. An act authorizing Robert Triplett and Alexander B. Barrett to bring certain slaves into this Commonwealth.
6. An act to amend the common school law.
7. An act to take from the General Court jurisdiction in certain cases.
8. An act to give further time to make surveys and return plats and certificates, on Kentucky Land Office warrants, to the Register's Office.
9. An act to provide for a change of venue in the prosecution against Joseph H. Coleman.
10. An act for the benefit of Elizabeth Bauff, of Adair county.
11. An act for the benefit of John D. Blackford.
12. An act to allow an additional constable to Anderson county.

13. An act for the benefit of the Trustees of the town of Poplar Plains.
14. An act to establish and incorporate the town of Sherburn, in Fleming county.
15. An act to prevent the wanton destruction of fish.
16. An act for the benefit of James Fike, of Graves county.
17. An act providing for the construction and protection of Morse's Magnetic Telegraph in Kentucky.
18. An act to authorize a survey of the town of Mount Washington, and for other purposes.
19. An act for the benefit of James C. Brewer, commissioner of tax for Perry county.
20. An act to allow an additional constable to Boone county.
21. An act making copies of water leases, which have been recorded, evidence.
22. An act to amend the revenue laws.
23. An act for the benefit of the Trustees of the town of Shepherdsville, in Bullitt county.
24. An act to legalize the proceedings of the Green county court in appointing William B. Allen, administrator of John H. Aikin, deceased.
25. An act for the benefit of the town of Smithland.
26. An act for the benefit of Elizabeth Jane Smith and others.
27. An act to incorporate the Fireman's Insurance Company, of Lexington.
28. An act for the benefit of David Bell Fry and Mary Jane Fry.
29. An act in relation to the duties of circuit and county court clerks of this Commonwealth.
30. An act for the benefit of the sheriff of Hopkins county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st, 2d, 3d, 5th, 7th, 16th, 17th, 21st, 23d, 26th, 27th and 28th bills were referred to the committee on the Judiciary; the 4th to the committee on Religion; the 6th and 12th to the committee on Education; the 8th, 9th, 10th, 13th, 14th, 18th, 20th, 24th, 25th and 30th were severally ordered to be read a third time; the 11th and 19th to the committee on Claims; the 15th to the committee on Agriculture and Manufactures, and the 22d and 29th to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 8th, 9th, 10th, 13th, 14th, 18th, 20th, 24th, 25th and 30th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act to allow an additional constable to Anderson county.

Was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read, "an act to allow an additional constable to certain counties."

A bill from the Senate, entitled, an act allowing an additional Justice of the Peace to Caldwell county.

Was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read, "an act allowing an additional Justice of the Peace to Caldwell county, and for other purposes."

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By Mr. Crockett—1. A bill to establish a public warehouse at ———.

By Mr. W. S. Botts—2. A bill for the benefit of Jeff Evans, of the county of Greenup.

By the committee on the Judiciary—3. A bill to allow an additional Justice of the Peace to the county of Spencer.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of the 2d and 3d bills having been dispensed with, the 2d was referred to the committee on the Judiciary, and the 3d was ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 3d bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wright, from the committee to whom was referred a bill to modify and repeal in part, the act approved February 2, 1833, entitled, an act to amend the law prohibiting the importation of slaves into this State, reported

the same with an amendment as a substitute for said bill, which was concurred in.

The said bill, as amended, reads as follows, viz :

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of tucky,* That from and after the passage of this act, the citizens of this Commonwealth shall be, and are hereby privileged and permitted to import and bring into this State, from any one of the States of this Union, any slave or slaves, for their own use: *Provided,* That the person or persons, so importing said slave or slaves, shall within sixty days after said importation, make oath or affirmation, before the clerk of the county court, where said slave or slaves were imported, that said slave or slaves were imported in good faith for his, their, or her use and private benefit, and not as merchandise, or for speculation or sale; and shall also make out a true and correct list of said slave or slaves, describing the age, name, color and sex of said slave or slaves; and shall also make an affidavit, and file the same with the clerk of the county court, that the said list is true and correct, which list and affidavits aforesaid, shall be recorded by the clerk in his office; and the clerk, for recording the affidavits and list aforesaid, shall receive from the persons or persons importing said slave or slaves, the sum of fifty cents for one slave, and ten cents for each additional slave, as a fee therefor.

SEC. 2. *Be it further enacted,* That if any person or persons, shall falsely take the oaths prescribed in the 1st section of this act, shall be deemed guilty of the crime of perjury, and shall, upon conviction, undergo a confinement in the jail and penitentiary house of this Commonwealth for a term of two years.

SEC. 3. *Be it further enacted,* That all acts or parts of acts, coming within the purview of this act, are hereby repealed.

Mr. English moved to amend said bill by adding the following.

Be it further enacted, That from and after the passage of this act, that an act, entitled, an act prohibiting the importation of slaves into this State, approved February 2, 1833, be and the same is hereby repealed.

Mr. Bush moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bush and Wal-
ler, were as follows, viz :

Those who voted in the affirmative, were—

Mr. Speaker,	Hanson,	Phillips,
Messrs. Beeler,	Hay,	Procter,
Botts, A. G.	Hobbs,	Reed,
Botts, W. S.	Hord,	Riddle,
Bowman,	Irvine, D.	Salter,
Boyd,	Irvine, J.	Spurr,
Bradford,	Jones, J. R.	Steele,
Brown,	Jordan,	Stewart,
Bush,	Marshall,	Talbutt,
Clarke,	Mayhall,	Tandy,
Cobb,	McArthur,	Thomas,
Desha,	McCallister,	Thompson,

Durbin,
Foley,
Gilbert,
Graves,
Hall,

McHenry,
Meriwether,
Mitchell,
Munford,
Page,

Walker,
Waller,
Wortham,
Wright—50.

Those who voted in the negative, were—

Messrs. Abell,
Alexander,
Alnut,
Armstrong,
Board,
Bowmar,
Coleman,
Crawford,
Crockett,
Covington,
Devereux,
Dickerson,
Elliott, J.
Elliott, M.
English,

Evans,
Glenn,
Haggard,
Hager,
Hoy,
Ireland,
Johnston,
Jones, W. L.
Mansfield,
Martin,
Moore,
Morton,
Oglesby,
Owens,
Pearl,

Poor,
Purdom,
Rhea,
Rouse,
Smith,
Spalding,
Stevens,
Stevenson,
Towles,
Vertress,
Wade,
Wheeler,
White,
Williams,
Young—45.

Mr. Brown moved a reconsideration of the vote laying said bill and amendment on the table.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

Mr. Waller read and laid on the table the following preamble and resolutions, viz :

WHEREAS, it is the duty of the Legislature, under the constitution of Kentucky, to elect a United States Senator, to fill the vacancy which will occur by the expiration of the term of the Hon. James T. Morehead ; and, whereas, in the performance of that duty, the unsuccessful result of the frequent ballotings to elect a Senator, has demonstrated the absolute necessity of adopting some rule by which the election of one of the individuals already nominated, or hereafter nominated, may be certainly secured in the subsequent ballotings : therefore,

SEC. 1. *Be it resolved by the General Assembly of the Commonwealth of tucky,* That before any ballots are taken, a full opportunity shall be given in both Houses for additional nominations to that office, after which a general ballot shall be taken ; then a special ballot shall be taken between the two nominees receiving the smallest number of votes on the general ballot, and the one receiving the smaller number of votes on the speciall ballot, shall not be balloted for thereafter, but shall be out of the contest ; a second general ballot shall then be taken between the remaining candidates, afterwards a special ballot to the same effect, as the first special ballot, and so on till the contest is narrowed down to the two nominees ; and of those two, the one receiving a majority of all the members of the two Houses present and voting, shall be the Senator.

Sec. 2. Resolved further, That after the passage of these resolutions, and after the ballotings have commenced in pursuance of them, no additional nominations shall be made.

A message was received from the Senate, by Mr. Fox, announcing that they were then ready to proceed to the election of a Senator in Congress.

Ordered, That Mr. Meriwether inform the Senate that this House is also ready to proceed to said election.

The House then proceeded to take a vote between those remaining on nomination at the last ballot, and it stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Haggard,	Poor,
Beeler,	Harrison,	Purdom,
Bell,	Hay,	Reed,
Bowman,	Hoy,	Rhea,
Bradford,	Mayhall,	Smith,
Clarke,	McCallister,	Soery,
Cobb,	McHenry,	Vertress,
Crockett,	Munford,	Waller,
Covington,	Oglesby,	Williams,
Evans,	Owens,	Wortham,
Gilbert,	Page,	Young—34.
Glenn,		

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Foley,	Salter,
Messrs. Botts, W. S.	Hobbs,	Spurr,
Boyd,	Irvine, D.	Steele,
Brown,	Jones, W. L.	Stewart,
Bush,	Jordan,	Tandy,
Crawford,	Mitchell,	White—20.
Devereux,	Phillips,	

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Graves,	Morton,
Alnut,	Hager,	Riddle,
Armstrong,	Ireland,	Rouse,
Board,	Irvine, J.	Spalding,
Coleman,	Johnston,	Stevens,
Desha,	Jones, J. R.	Stevenson,
Dickerson,	Mansfield,	Towles,
Elliott, J.	Marshall,	Wade,
Elliott, M.	McArthur,	Walker,
English,	Meriwether,	Wheeler,
Fletcher,	Moore,	Wright—33.

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.	Hall,	Talbutt,
Durbin,	Hord,	Thomas—6.

For James T. Morehead—Mr. Hanson.

For Henry Clay—Mr. Pearl.

For John A. McClung—Mr. Procter.

For Tucker Woodson—Mr. Thompson.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood, -	-	-	-	-	-	-	43
For Mr. Letcher, -	-	-	-	-	-	-	38
For Mr. Hawes, -	-	-	-	-	-	-	39
For Mr. Metcalfe, -	-	-	-	-	-	-	9
Scattering, -	-	-	-	-	-	-	4

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Glenn,	Purdum,
Beeler,	Haggard,	Reed,
Bell,	Harrison,	Rhea,
Bowman,	Hay,	Smith,
Bradford,	Hoy,	Soery,
Clarke,	McCallister,	Thomas,
Cobb,	McHenry,	Vertess,
Crockett,	Munford,	Waller,
Covington,	Oglesby,	Williams,
Elliott, M.	Owens,	Wortham,
Evans,	Page,	Young—35.
Gilbert,	Poor,	

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Elliott, J.	Phillips,
Messrs. Board,	Foley,	Riddle,
Botts, W. S.	Hager,	Salter,
Boyd,	Hobbs,	Spurr,
Brown,	Irvine, D.	Stewart,
Bush,	Jones, W. L.	Tandy,
Crawford,	Jordan,	White—23.
Devereux,	Mitchell,	

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Irvine, J.	Rouse,
Alnut,	Johnston,	Spalding,
Armstrong,	Jones, J. R.	Stevens,
Coleman,	Mansfield,	Stevenson,
Desha,	Marshall,	Towles,
Dickerson,	McArthur,	Wade,

English,
Fletcher,
Graves,
Ireland,

Meriwether,
Moore,
Morton,

Walker,
Wheeler,
Wright—28.

Those who voted for Mr. Metcalfe, were—

Messrs. Botts, A. G.
Durbin,
Hall,

Hord,
Procter,

Steele,
Talbutt—7.

For Peter Jordan—Mr. Bowmar.

For James T. Morehead—Mr. Hanson.

For Henry Clay—Messrs. Martin and Pearl.

For James Harlan—Mr. Mayhall.

For Tucker Woodson—Mr. Thompson.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	45
For Mr. Letcher,	-	-	-	-	-	-	43
For Mr. Hawes,	-	-	-	-	-	-	32
For Mr. Metcalfe,	-	-	-	-	-	-	9
Scattering,	-	-	-	-	-	-	7

On motion of Mr. McHenry,

Ordered, That the further balloting for a United States Senator be suspended until to-morrow at 12 o'clock.

Ordered, That Mr. Meriwether inform the Senate thereof.

Mr. W. S. Botts read and laid on the table the following resolution. viz:

Resolved by the Senate and House of Representatives, That in every succeeding ballot for a United States Senator, the nominee receiving the smallest number of votes shall be dropped until an election shall be made.

Mr. W. S. Botts moved to dispense with the rule requiring joint resolutions to lie one day on the table.

Mr. Bush moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the rule be dispensed with? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. S. Botts and Bush, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Beeler,

Hanson,
Harrison,

Salter,
Smith,

Botts, A. G.	Hay,	Spurr,
Botts, W. S.	Hobbs,	Steele,
Boyd,	Hord,	Stewart,
Bradford,	Hoy,	Talbutt,
Brown,	Irvine, D.	Tandy,
Bush,	Jones, W. L.	Thomas,
Crawford,	Martin,	Thompson,
Devereux,	Mayhall,	Vertress,
Durbin,	McCallister,	Wade,
Elliott, M.	Mitchell,	Waller,
Foley,	Owens,	White,
Gilbert,	Pearl,	Williams,
Haggard,	Phillips,	Wortham,
Hall,	Procter,	Young—48.

Those who voted in the negative, were—

Messrs. Abell,	Evans,	Munford,
Alexander,	Flotcher,	Oglesby,
Alnut,	Glenn,	Page,
Armstrong,	Graves,	Poor,
Bell,	Hager,	Purdorn,
Board,	Ireland,	Reed,
Bowman,	Irvine, J.	Rhea,
Bowmar,	Johnston,	Riddle,
Clarke,	Jones, J. R.	Rouse,
Cobb,	Jordan,	Soery,
Coleman,	Mansfield,	Spalding,
Crockett,	Marshall,	Stevens,
Covington,	McArthur,	Stevenson,
Desha,	McHenry,	Towles,
Dickerson,	Meriwether,	Walker,
Elliott, J.	Moore,	Wheeler,
English,	Morton,	Wright—51.

A message was received from the Senate, by Mr. Fox, announcing that they had suspended the election of a Senator in Congress until to-morrow 12 o'clock.

Mr. Brown moved to dispense with the rule, in order to take up the resolution from the Senate fixing a day for the final adjournment of the General Assembly.

The said resolution reads as follows, viz :

Resolved by the Senate and House of Representatives, That when they adjourn on the 22d instant, they will adjourn sine die.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Salter, were as follows, viz :

Those who voted in the affirmative, were—

Messrs. Alexander,	Glenn,	Procter,
Alnut,	Graves,	Purdorn,

Armstrong,
Beeler,
Bell,
Board,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Bush,
Clarke,
Cobb,
Coleman,
Crawford,
Desha,
Durbin,
Elliott, J.
Elliott, M.
English,
Fletcher,
Foley,
Gilbert,

Hager,
Hall,
Harrison,
Hobbs,
Hoy,
Ireland,
Irvine, J.
Johnston,
Jones, J. R.
Marshall,
Martin,
Mayhall,
McArthur,
McCallister,
Mitchell,
Moore,
Morton,
Munford,
Oglesby,
Owens,
Page,
Pearl,
Phillips,
Poor,

Reed,
Rhea,
Riddle,
Rouse,
Salter,
Soery,
Spalding,
Spurr,
Salter,
Stevens,
Talbutt,
Tandy,
Thomas,
Thompson,
Vertrass,
Wade,
Walker,
Wheeler,
White,
Williams,
Wortham,
Wright,
Young—77.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell,
Crockett,
Covington,
Devereux,
Dickerson,
Evans,

Haggard,
Hanson,
Hay,
Hord,
Jones, W. L.
Jordan,

Mansfield,
McHenry,
Smith,
Stevenson,
Towles,
Waller—19.

At 20 minutes after one o'clock, P. M., Mr. Waller moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Salter and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,
Alexander,
Alnut,
Botts, W. S.
Crawford,
Crockett,
Devereux,
Dickerson,
Elliott, J.
Elliott, M.

Hanson,
Hay,
Hobbs,
Hord,
Ireland,
Irvine, D.
Irvine, J.
Mansfield,
Marshall,
Mayhall,

Pearl,
Poor,
Procter
Reed,
Rhea,
Smith,
Stevenson,
Talbutt,
Towles,
Wade,

Evans,
Gilbert,
Haggard,
Hager,

Mitchell,
Moore,
Munford,
Page,

Walker,
Waller,
Wheeler,
Wright—42.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Armstrong,
Beeler,
Bell,
Board,
Botts, A. G.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Bush,
Clarke,
Cobb,
Coleman,
Covington,
Desha,
Durbin,
English,

Fletcher,
Foley,
Glenn,
Graves,
Hall,
Harrison,
Hoy,
Johnston,
Jones, J. R.
Jones, W. L.
Jordan,
Martin,
McArthur,
McCallister,
McHenry,
Meriwether,
Morton,
Owens,
Phillips,

Purdom,
Riddle,
Rouse,
Salter,
Soery,
Spalding,
Spurr,
Steele,
Stevens,
Stewart,
Tandy,
Thomas,
Thompson,
Vertress,
White,
Williams,
Wortham,
Young—56.

Mr. Salter moved the previous question.

Mr. W. S. Botts moved an adjournment at half past one o'clock, P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Salter and Brown, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
Alexander,
Beeler,
Bell,
Botts, W. S.
Bowman,
Bradford,
Cobb,
Crawford,
Crockett,
Covington,
Devereux,
Dickerson,
Elliott, J.
English,
Evans,

Hanson,
Harrison,
Hay,
Hobbs,
Hord,
Hoy,
Ireland,
Irvine, D.
Irvine, J.
Jones, W. L.
Jordan,
Mansfield,
Marshall,
Mayhall,
Meriwether,
Mitchell,
Moore,

Phillips,
Poor,
Procter,
Purdom,
Rouse,
Smith,
Soery,
Spalding,
Steele,
Stevenson,
Talbutt,
Tandy,
Thomas,
Towles,
Wade,
Walker,
Waller,

Gilbert,
Graves,
Haggard,
Hager,

Munford,
Oglesby,
Page,
Pearl,

Wheeler,
Wright,
Young—62.

Those who voted in the negative, were—

Messrs. Ainut,
Armstrong,
Board,
Botts, A. G.
Boyd,
Brown,
Bush,
Clarke,
Coleman,
Desha,
Durbin,
Elliott, M.

Fletcher,
Foley,
Glenn,
Hall,
Johnston,
Jones, J. R.
Martin,
McArthur,
McCallister,
McHenry,
Morton,

Owens,
Reed,
Rhea,
Riddle,
Salter,
Spurr,
Stevens,
Vertress,
White,
Williams,
Wortham—34.

FRIDAY, FEBRUARY 12, 1847.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act to amend an act, entitled, an act to establish a Library Association at Louisville, approved February 5, 1842.

An act for the benefit of D. J. Dodge.

That they had passed bills of the following titles, viz:

An act to incorporate the town of Neetsville, in Adair county.

An act for the benefit of Ann L. Clements.

An act for the benefit of the administrator and heirs of Henry Durrett, deceased.

An act for the benefit of John U. Watson and Pemberton Cave.

An act for the benefit of the devisees of Lewis Butler, deceased.

An act to incorporate the town of Springfield, in Washington county.

An act to incorporate the faculty of the Western Military Institute.

An act to incorporate the Independent Temperance Society, of Pulaski county.

That they had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Rebecca Morrison and the heirs of Joseph A. Morrison, deceased.

An act better to define the duties of surveyors in this Commonwealth.

An act for the benefit of Zatte Cushing.

An act to amend an act, entitled, an act to incorporate the Grand Lodge of the Independent Order of Odd Fellows of the State of Kentucky, approved February 16, 1838.

An act for the benefit of John Moss, of Hickman county.

Approved February 9, 1847.

1. Mr. Procter presented the petition of sundry citizens of Lewis county, praying the passage of a law for the removal of the county seat of said county.

2. Mr. Spalding presented the petition of Margaret Proctor, praying the passage of a law authorizing the investment of a part of the proceeds of the estate of her deceased husband, William Proctor, in lands.

3. Mr. Williams presented the petition of George R. Yantis, praying a revision of the laws in relation to the processioning of lands.

Which were received, the reading thereof dispensed with, and referred: the 1st to the committee on Propositions and Grievances, and the 2d and 3d to the committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Evans—1. A bill to provide for building a bridge over Little Sandy, at its mouth.

On the motion of Mr. Devereux—2. A bill for the benefit of Elizabeth Shoemaker, of the county of Daviess.

On the motion of Mr. Pearl—3. A bill to repeal in part, the law in regard to the management of the road from London, in Laurel county, to Williamsburg, in Whitley county.

On the motion of Mr. Hobbs—4. A bill for the benefit of A. G. Botts, assignee of James Ray, a bankrupt of the United States Kentucky District Court.

On the motion of Mr. Rhea—5. A bill to amend an act, entitled, an act providing for a State road from Adairsville, in Logan county, to Bowling-green, in Warren county.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st; Messrs. Devereux, Alexander and Brown the 2d; Messrs. Pearl, Rhea and Foley the 3d; the committee on the Sinking Fund the 4th, and Messrs. Rhea, Covington and Boyd the 5th.

1. Mr. White presented the petition of sundry citizens of Clay county, praying a reduction of the price of vacant lands in said county.

2. Also, the petition of sundry citizens of Clay county, in relation to the firing of woods in said county.

3. Mr. Marshall presented the petition of sundry citizens of Henry county, praying that additional compensation be allowed to commissioners of tax.

4. Also, the petition of sundry citizens of Henry county, praying a change in the place of voting in the six mile election precinct in said county.

Which were received, the reading thereof dispensed with, and referred; the 1st and 2d to the committee on Agriculture and Manufactures; the 3d to the committee on Ways and Means, and the 4th to the committee on Privileges and Elections.

Mr. Wade moved the following resolution, viz:

Resolved, That the committee on Ways and Means be instructed to enquire into the expediency of passing a law appropriating to the county of Bullitt, a sufficient sum of money to aid said county in building a bridge over Pond creek, and Floyd's fork of Salt river, in pursuance of an act, entitled, an act, approved March 1, 1836.

Which was adopted.

Mr. Glenn read and laid on the table the following preamble and resolutions, viz:

WHEREAS, our State has promptly furnished for the public service in the war with Mexico, its quota of volunteers; these brave men have marched with alacrity and placed themselves under the command of Major General Zachary Taylor, who was once a citizen of our State, of whom every Kentuckian may be justly proud; the safety and efficiency of an army depend upon the character and talents of the Commanding General, and the manner in which he is sustained by the Government; it stimulates and elevates every patriotic feeling, and strengthens the arm of the soldier, to know that his countrymen indignantly frown upon the efforts offering to detract from his fame, and manifest their admiration of his heroic actions by gratitude and praise.

Resolved, therefore, That the *unqualified* thanks of the General Assembly of the Commonwealth of Kentucky be, and they are hereby tendered to Major General Zachary Taylor, and the officers and soldiers, both regulars and volunteers, under his command, in the battles of Palo Alto, Resaca de la Palma, and Monterey, for their bravery and skill in achieving those signal victories.

Resolved, That the Governor of this Commonwealth be requested to transmit the foregoing preamble and resolution to General Taylor, and to apprise him of the cordial approbation of this General Assembly, in all the measures adopted by him in the capitulation of Monterey, and the undiminished confidence which the Representatives of the people of Kentucky have in his gallantry, patriotism and military skill.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

Mr. Graves moved the following as a substitute for said preamble and resolutions, viz:

Resolved by the Senate and House of Representatives of the General Assembly of the Commonwealth of Kentucky, That the thanks of the Legislature

aforesaid, are due and are hereby tendered to General Zachary Taylor, and through him to the brave officers and gallant soldiers, both of the regular army and volunteers under his command, for their bravery, courage, skill, fortitude, and commendable conduct in the defence of the national honor and national rights of the United States, in the several contests of arms, two of which were on the 8th and 9th of May, 1846, the third of which was in the storming of the city of Monterey, on the 21st, 22d, and 23d of September, following, with an enemy whose force was more than double their number, and who had every advantage, both in geographical position, as well as in strong fortifications; all of which resulted in the most glorious and brilliant victories to our army, and shed imperishable lustre upon American arms, engaged as it was, and still is, in a war commenced and forced upon us by Mexico, and continued by us in the defence of the honor and in vindication of the just rights of the United States, assailed, as both had been, by repeated and flagrant acts on the part of Mexico, of insults, outrages, and finally of invasion of one of the States of this Union: therefore,

Be it further resolved, That the Governor of the Commonwealth of Kentucky, be requested to cause the foregoing resolution to be communicated to General Taylor, and through him, to the army under his command.

Ordered, That said preamble and resolutions and substitute be referred to the committee on Federal Relations, with instructions to report the same to the House on Tuesday next, at 11 o'clock.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Board—1. A bill to repeal the law better to protect the breed of deer and to prevent unlawful hunting.

By the committee on Military Affairs—2. A bill for the benefit of A. P. Churchill and others.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The 1st was referred to the committee on the Judiciary, and the 2d was ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 2d bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McHenry, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act requiring the Clerk of the Green county court to qualify William B. Carlisle, as sheriff of Green county, reported the same without amendment.

Mr. Abell proposed the following amendment as a substitute for said bill, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the coroner of the county of Green shall, until a sheriff for

said county is regularly qualified and sworn into office, discharge the duties of sheriff for the said county of Green.

SEC. 2. *Be it further enacted*, That the coroner of the said county of Green, shall at the next county court held for the county of Green, or the succeeding court thereafter, execute the several bonds (and in the same penalties) that the sheriffs of this Commonwealth are required to execute, before they enter upon the discharge of the duties of their offices; and the coroner and his securities shall be liable to the same extent, and in the same manner, as sheriffs and their securities are liable upon their bonds for a failure to discharge the duties of their offices.

SEC. 3. *Be it further enacted*, That the said coroner shall be entitled to the same fees and emoluments that sheriffs are entitled to for similar services, and shall be allowed to nominate a deputy or deputies, and the county court shall qualify such deputy or deputies in the same manner and under the same rules regulations that deputy sheriffs are qualified.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Williams and Brown, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	English,	Meriwether,
Messrs. Abell,	Fletcher,	Mitchell,
Armstrong,	Glenn,	Moore,
Beeler,	Graves,	Morton,
Boyd,	Hager,	Procter,
Clarke,	Hall,	Riddle,
Cobb,	Irvine, J.	Rouse,
Coleman,	Johnston,	Stevens,
Crawford,	Jones, J. R.	Wade,
Desha,	Jordan,	Wheeler,
Durbin,	Mansfield,	Williams—35.
Elliott, J.	McArthur,	

Those who voted in the negative, were—

Messrs. Alexander,	Hobbs,	Reed,
Alnut,	Hord,	Rhea,
Bell,	Hoy,	Salter,
Board,	Ireland,	Smith,
Botts, A. G.	Irvine, D.	Soery,
Botts, W. S.	Jones, W. L.	Spalding,
Bowman,	Marshall,	Spurr,
Bowmar,	Martin,	Steele,
Bradford,	Mayhall,	Stewart,
Bush,	McCallister,	Tandy,
Covington,	McHenry,	Thomas,
Devereux,	Munford,	Thompson,
Elliott, M.	Oglesby,	Towles,
Foley,	Owens,	Vertress,
Gilbert,	Page,	Walker,

Haggard,
Hanson,
Harrison,
Hay,

Pearl,
Phillips,
Poor,
Purdom,

White,
Wortham,
Wright—56.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Johnston moved the following resolution, viz:

Resolved, That this House will, from and after the 15th day of this instant, meet at 9 o'clock in the morning and take a recess at half after one o'clock in the evening, and convene again at three o'clock each day until the end of the session.

Which was adopted.

The House again resumed the consideration of the bill to modify and repeal in part the act approved February 2d, 1833, entitled, an act to amend the law prohibiting the importation of slaves into this State.

The question was then taken on the re-consideration of the vote of yesterday laying said bill and amendment on the table, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brown and Tandy, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Glenn,	Purdom,
Alexander,	Haggard,	Rhea,
Alnut,	Hager,	Rouse,
Bell,	Hoy,	Smith,
Board,	Ireland,	Soery,
Bowmar,	Johnston,	Spalding,
Coleman,	Jones, W. L.	Stevens,
Crawford,	Mansfield,	Stevenson,
Crockett,	Martin,	Towles,
Covington,	Mayhall,	Vertress,
Devereux,	Moore,	Wade,
Dickerson,	Morton,	Wheeler,
Elliott, J.	Oglesby,	White,
Elliott, M.	Owens,	Williams,
English,	Pearl,	Wright,
Evans,	Poor,	Young—48.

Those who voted in the negative, were—

Mr. Speaker,	Graves,	Munford,
Messrs. Armstrong,	Hall,	Page,
Beeler,	Hanson,	Phillips,
Botts, A. G.	Harrison,	Procter,

Botts, W. S.
Bowman,
Boyd.
Bradford,
Brown,
Bush,
Clarke,
Cobb,
Desha,
Durbin,
Fletcher,
Foley,
Gilbert,

Hay,
Hobbs,
Hord,
Irvine, D.
Irvine, J.
Jones, J. R.
Jordan,
Marshall,
McArthur,
McCallister,
McHenry,
Meriwether,
Mitchell,

Reed,
Riddle,
Salter,
Spurr,
Steele,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Walker,
Waller,
Wortham—51.

The hour of 12 o'clock having arrived the House proceeded to the orders of the day.

Mr. Procter then withdrew the nomination of Mr. Metcabe as a candidate for the office of Senator in Congress.

Mr. Brown moved to dispense with the rule in order to take up the preamble and resolution from the Senate in relation to the election of a Senator in Congress.

The said preamble and resolution reads as follows, viz :

WHEREAS, it is regarded expedient, at all times, in legislation, to dispose of all exciting questions, after the same have been duly considered, at the earliest possible period : and whereas, the Legislature has been engaged the greater portion of the last three days in balloting for a United States Senator without having made any choice, and said election having greatly retarded our progress in legislation, and is calculated, if not speedily settled, to greatly protract the length of the session of the Legislature, and thereby make an unnecessary draught upon the Public Treasury, and consequently a burden upon the people—for remedy whereof,

Resolved by the Senate and House of Representatives, That if, upon the next ballot for United States Senator, no one of those then in nomination for that office, should receive a majority of all the votes given, then, upon each successive ballot, the individual having the smallest number of votes, shall be dropped until a choice is made.

And the question being taken thereon it was decided in the negative, it requiring a majority of two thirds.

The yeas and nays being required thereon by Messrs. Stevenson and Marshall, were as follows, viz :

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Beeler,
Bell,
Botts, A. G.
Botts, W. S.
Bowman,
Boyd,

Glenn,
Graves,
Haggard,
Hall,
Hanson,
Harrison,
Hay,

Poor,
Procter,
Purdum,
Rhea,
Salter,
Smith,
Soery,

Brown,
Bush,
Cobb,
Crawford,
Crockett,
Covington,
Deveraux,
Durbia,
Elliott, J.
Elliott, M.
Evans,
Foley,
Gilbert,

Hobbs,
Hord,
Hoy,
Irvine, D.
Jones, W. L.
Martin,
Mayhall,
McCallister,
McHenry,
Mitchell,
Owens,
Pearl,
Phillips,

Sparr,
Steele,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Vertress,
Waller,
White,
Williams,
Wortham,
Young—60.

Those who voted in the negative, were—

Messrs. Abell,
Alexander,
Alnut,
Armstrong,
Board,
Bowmar,
Bradford,
Clarke,
Coleman,
Desha,
Dickerson,
English,
Fletcher,
Hager,

Ireland,
Irvine, J.
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Marshall,
Mays,
McArthur,
Meriwether,
Moore,
Morton,
Munford,

Oglesby,
Page,
Reed,
Riddle,
Rouse,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,
Wheeler,
Wright—40.

Mr. Crockett moved that a message be sent to the Senate, informing them that this House is now ready to proceed to the execution of the joint order of the two Houses, for the election of a United States Senator, and that in the future balloting this House will adopt the mode of dropping the one having the lowest number of votes, until an election is had.

Mr. Reed objected to said motion as being out of order unless the rules were dispensed with.

The Speaker decided the motion to be in order, from which decision of the Chair Mr. Reed took an appeal.

Mr. McHenry moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stevenson and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Beeler,
Bell,

Glenn,
Haggard,
Hall,

Phillips,
Poor,
Procter,

Botts, A. G.	Hanson,	Purdom,
Bowman,	Harrison,	Salter,
Boyd,	Hay,	Spurr,
Brown,	Hobbs,	Steele,
Bush,	Hord,	Stewart,
Cobb,	Hoy,	Talbutt,
Crawford,	Irvine, D.	Tandy,
Crockett,	Jones, W. L.	Thomas,
Devereux,	Martin,	Thompson,
Durbin,	McCallister,	Vertress,
Elliott, M.	McHenry,	Waller,
Foley,	Mitchell,	White,
Gilbert,	Owens,	Young—48.

Those who voted in the negative, were—

Messrs. Abell,	Hager,	Pearl,
Alexander,	Ireland,	Reed,
Alnut,	Irvine, J.	Rhea,
Armstrong,	Johnston,	Riddle,
Board,	Jones, J. R.	Rouse,
Botts, W. S.	Jordan,	Smith,
Bowmar,	Manfield,	Soery,
Bradford,	Marshall,	Spalding,
Clarke,	Mayhall,	Stevens,
Coleman,	Mays,	Stevenson,
Covington,	McArthur,	Towles,
Desha,	Meriwether,	Wade,
Dickerson,	Moore,	Walker,
Elliott, J.	Morton,	Wheeler,
English,	Munford,	Williams,
Evans,	Oglesby,	Wortham,
Fletcher,	Page,	Wright—52.
Graves,		

Mr. W. L. Jones then moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

At half past two o'clock, P. M., Mr. Wright moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Crockett and Rhea, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Elliott, J.	Moore,
Board,	Irvine, J.	Soery,
Bradford,	Johnston,	Wright,
Dickerson,	Jordan,	Young—14.
Durbin,	Marshall,	

Those who voted in the negative, were—

Mr. Speaker,	Haggard,	Poor,
Messrs. Alnut,	Hager,	Procter

Armstrong,
Beeler,
Bell,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Brown,
Bush,
Clarke,
Cobb,
Coleman,
Crawford,
Crockett,
Covington,
Desha,
Devereux,
Elliott, M.
English,
Evans,
Fletcher,
Foley,
Gilbert,
Glenn,
Graves,

Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Hord,
Hoy,
Ireland,
Irvine, D.
Jones, J. R.
Jones, W. L.
Mansfield,
Martin,
Mays,
McArthur,
McCallister,
McHenry,
Meriwether,
Mitchell,
Morton,
Munford,
Oglesby,
Owens,
Page,
Pearl,
Phillips,

Purdom,
Reed,
Rhea,
Riddle,
Rouse,
Salter,
Smith,
Spalding,
Spurr,
Steele,
Stevens,
Stevenson,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Vertress,
Wade,
Walker,
Waller,
Wheeler,
White,
Williams,
Wortham—83.

The main question was then put, shall the decision of the Chair stand as the judgment of the House? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Reed and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,
Beeler,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Bush,
Cobb,
Crawford,
Crockett,
Devereux,
Durbin,
Elliott, J.
Foley,

Hager,
Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Hord,
Hoy,
Irvine, D.
Jones, W. L.
Jordan,
Martin,
McCallister,
McHenry,
Mitchell,
Oglesby,
Owens,

Poor,
Procter,
Salter,
Smith,
Spurr,
Steele,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Vertress,
Wade,
Waller,
Wheeler,
White,
Williams,

Gilbert,
Glenn,
Haggard,

Pearl,
Phillips,

Wright,
Young—58.

Those who voted in the negative, were—

Messrs. Armstrong,
Board,
Clarke,
Coleman,
Covington,
Desha,
Dickerson,
Elliott, M.
English,
Evans,
Fletcher,
Graves,

Ireland,
Irvine, J.
Johnston,
Jones, J. R.
Mansfield,
Marshall,
Mays,
McArthur,
Meriwether,
Moore,
Morton,
Munford,

Page,
Purdom,
Reed,
Rhea,
Riddle,
Rouse,
Soery,
Spalding,
Stevens,
Stevenson,
Walker,
Wortham—36.

Mr. Wright moved a re-consideration of the vote sustaining the decision of the Chair.

Mr. Waller moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Marshall, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alexander,
Alnut,
Beeler,
Bell,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Bradford,
Brown,
Bush,
Cobb,
Coleman,
Crawford,
Crockett,
Covington,
Desha,
Devereux,
Dickerson,
Durbin,
Elliott, J.
Elliott, M.
English,

Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Hord,
Hoy,
Ireland,
Irvine, D.
Irvine, J.
Johnston,
Jones, J. R.
Jones, W. L.
Jordan,
Mansfield,
Marshall,
Martin,
Mays,
McArthur,
McCallister,
McHenry,
Meriwether,
Mitchell,
Moore,

Poor,
Procter,
Purdom,
Reed,
Rhea,
Riddle,
Rouse,
Salter,
Smith,
Soery,
Spalding,
Spurr,
Steele,
Stevens,
Stevenson,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Towles,
Vertress,
Wade,
Walker,

Evans,
Fletcher,
Foley,
Gilbert,
Glenn,
Graves,
Haggard,

Morton,
Munford,
Oglesby,
Owens,
Page,
Pearl,
Phillips,

Waller,
Wheeler,
White,
Williams.
Wortham,
Wright,
Young—93.

Those who voted in the negative, were—

Messrs. Armstrong,
Board,

Clarke,

Hager—4.

The main question was then put, shall the vote sustaining the decision of the Chair be re-considered? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Marshall, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,
Armstrong,
Board,
English,
Graves,
Ireland,
Irvine, J.
Mansfield,

Marshall,
Meriwether,
Morton,
Page,
Purdum,
Reed,
Riddle,

Rouse,
Spalding,
Stevenson,
Towles,
Wade,
Walker,
Wright—22.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alexander,
Beeler,
Bell,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Bush,
Clarke,
Cobb,
Coleman,
Crawford,
Crockett,
Covington,
Desha,
Devereux,
Dickerson,
Durbin,
Elliott, J.

Foley,
Gilbert,
Glenn,
Haggard,
Hager,
Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Hord,
Hoy,
Irvine, D.
Johnston,
Jones, J. R.
Jones, W. L.
Jordan,
Martin,
Mays,
McArthur,
McCallister,
McHenry,
Mitchell,

Oglesby,
Owens,
Pearl,
Phillips,
Poor,
Procter,
Rhea,
Salter,
Smith,
Soery,
Spurr,
Steele,
Stevens,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Vertress,
Waller,
Wheeler,
White,
Williams,

Elliott, M.
Evans,
Fletcher,

Moore,
Munford,

Wortham,
Young—76.

Mr. Smith moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

At 3 o'clock, P. M., Mr. Armstrong moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Salter and W. L. Jones, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,	Mansfield,	Rouse,
Armstrong,	McArthur,	Spalding,
Bradford,	McHenry,	Stevens,
Covington,	Meriwether,	Stevenson,
Dickerson,	Morton,	Towles,
Ireland,	Munford,	Wade,
Irvine, J.	Page,	Wheeler—22.
Johnston,		

Those who voted in the negative, were—

Mr. Speaker,	Gilbert,	Phillips,
Messrs. Alexander,	Glenn,	Poor,
Beeler,	Graves,	Procter,
Bell,	Haggard,	Purdom,
Board,	Hager,	Reed,
Botts, A. G.	Hall,	Rhea,
Botts, W. S.	Hanson,	Riddle,
Bowman,	Harrison,	Salter,
Bowmar,	Hay,	Smith,
Boyd,	Hobbs,	Soery,
Brown,	Hord,	Spurr,
Bush,	Hoy,	Steele,
Clarke,	Irvine, D.	Stewart,
Cobb,	Jones, J. R.	Talbutt,
Coleman,	Jones, W. L.	Tandy,
Crawford,	Jordan,	Thomas,
Crockett,	Marshall,	Thompson,
Desha,	Martin,	Vertress,
Devereux,	Mays,	Waller,
Durbin,	McCallister,	Walker,
Elliott, J.	Mitchell,	White,
Elliott, M.	Moore,	Williams,
Evans,	Oglesby,	Wortham,
Fletcher,	Owens,	Wright,
Foley,	Pearl,	Young—75.

The main question was then put, shall the motion proposed by Mr. Crockett be adopted? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Marshall and Armstrong, were as follows, viz :

Those who voted in the affirmative, were—

Mr. Speaker,	Haggard,	Purdom,
Messrs. Beeler,	Hall,	Salter,
Bell,	Hanson,	Smith,
Botts, A. G.	Harrison,	Soery,
Botts, W. S.	Hay,	Spurr,
Bowman,	Hobbs,	Steele,
Boyd,	Hord,	Stewart,
Brown,	Hoy,	Talbutt,
Bush,	Irvine, D.	Tandy,
Cobb,	Jones, W. L.	Thomas,
Crawford,	Martin,	Thompson,
Crockett,	McCallister,	Vertress,
Devereux,	Mitchell,	Waller,
Durbin,	Owens,	White,
Elliott, J.	Pearl,	Williams,
Foley,	Phillips,	Wortham,
Gilbert,	Poor,	Young—53.
Glenn,	Procter,	

Those who voted in the negative, were—

Messrs. Abell,	Graves,	Morton,
Alexander,	Hager,	Munford,
Alnut,	Ireland,	Oglesby,
Armstrong,	Irvine, J.	Page,
Board,	Johnston,	Reed,
Bowmar,	Jones, J. R.	Rhea,
Clarke,	Jordan,	Riddle,
Coleman,	Mansfield,	Rouse,
Covington,	Marshall,	Spalding,
Desha,	Mays,	Stevens,
Dickerson,	McArthur,	Towles,
Elliott, M.	McHenry,	Wade,
Evans,	Meriwether,	Walker,
Fletcher,	Moore,	Wright—42.

Ordered, That Mr. Crockett inform the Senate thereof.

A message was received from the Senate, by Mr. Patterson, announcing that they were then ready to proceed to the election of a Senator in Congress, and that the nomination of Mr. Metcalfe was withdrawn in the Senate.

The House then proceeded to take a vote between those remaining on nomination, and it stood thus :

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Glenn,	Owens,
Beeler,	Haggard,	Page,
Bell,	Hall,	Poor,

Botts, A. G.	Harrison,	Purdum,
Bowman,	Hay,	Reed,
Bowmar,	Hord,	Rhea,
Bradford,	Hoy,	Smith,
Clarke,	Jones, J. R.	Soery,
Cobb,	Mansfield,	Talbutt,
Crockett,	Mayhall,	Thomas,
Covington,	McCallister,	Vertress,
Durbin,	McHenry,	Waller,
Elliott, M.	Moore,	Williams,
Evans,	Munford,	Wortham,
Gilbert,	Oglesby,	Young—45.

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hanson,	Procter,
Messrs. Botts, W. S.	Hobbs,	Riddle,
Boyd,	Irvine, D.	Salter,
Brown,	Jones, W. L.	Spurr,
Bush,	Jordan,	Steele,
Crawford,	Martin,	Stewart,
Devereux,	Mitchell,	Tandy,
Elliott, J.	Pearl,	Thompson,
Foley,	Phillips,	White—28.
Hager,		

Those who voted for Mr. Hawes, were—

Messrs. Abell,	Graves,	Rouse,
Alnut,	Ireland,	Spalding,
Armstrong,	Irvine, J.	Stevens,
Board,	Johnston,	Stevenson,
Coleman,	Marshall,	Towles,
Desha,	Mays,	Wade,
Dickerson,	McArthur,	Walker,
English,	Meriwether,	Wheeler,
Fletcher,	Morton,	Wright—27.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood, -	-	-	-	-	-	55
For Mr. Letcher, -	-	-	-	-	-	50
For Mr. Hawes, -	-	-	-	-	-	31
Scattering, -	-	-	-	-	-	2

Mr. Marshall then withdrew the nomination of Mr. Hawes.

Mr. Stevenson nominated Mr. Linn Boyd.

And after interchanging nominations between the two Houses the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Haggard,	Page,
Beeler,	Hall,	Poor,
Bell,	Harrison,	Purdum,
Botts, A. G.	Hay,	Reed,
Bowman,	Hord,	Rhea,
Bowmar,	Hoy,	Smith,
Bradford,	Jones, J. R.	Soery,
Clarke,	Mansfield,	Talbutt,
Cobb,	Marshall,	Thomas,
Crockett,	Mayhall,	Vertress,
Covington,	McCallister,	Waller,
Durbin,	McHenry,	Wheeler,
Elliott, M.	Moore,	Williams,
Evans,	Munford,	Wortham,
Gilbert,	Oglesby,	Young—47.
Glenn,	Owens,	

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hanson,	Salter,
Messrs. Botts, W. S.	Hobbs,	Spurr,
Boyd,	Irvine, D.	Steele,
Brown,	Jones, W. L.	Stewart,
Bush,	Jordan,	Tandy,
Crawford,	Martin,	Thompson,
Devereux,	Mitchell,	Wade,
Elliott, J.	Pearl,	Walker,
Foley,	Phillips,	White—29.
Hager,	Procter,	

Those who voted for Mr. Boyd, were—

Messrs. Abell,	Fletcher,	Morton,
Alnut,	Graves,	Riddle,
Armstrong,	Ireland,	Rouse,
Board,	Irvine, J.	Spalding,
Coleman,	Johnston,	Stevens,
Desha,	Mays,	Stevenson,
Dickerson,	McArthur,	Towles,
English,	Meriwether,	Wright—24.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood,	-	-	-	-	-	-	59
For Mr. Letcher,	-	-	-	-	-	-	51
For Mr. Boyd,	-	-	-	-	-	-	26
Scattering,	-	-	-	-	-	-	1

Mr. Stevenson then withdrew the nomination of Mr. Boyd.

Mr. Spalding nominated Mr. James Guthrie.

And after interchanging nominations between the two Houses, this House proceeded to take another vote, which stood thus :

Those who voted for Mr. Underwood, were—

Messrs. Alexander,	Haggard,	Procter,
Beeler,	Hall,	Purdum,
Bell,	Hanson,	Reed,
Botts, A. G.	Harrison,	Rhea,
Bowman,	Hay,	Smith,
Bowmar,	Hobbs,	Soery,
Boyd,	Hord,	Stewart,
Bradford,	Hoy,	Talbutt,
Bush,	Jones, J. R.	Tandy,
Clarke,	Martin,	Thomas,
Cobb,	Mayhall,	Thompson,
Crockett,	McCallister,	Towles,
Covington,	McHenry,	Vertress,
Devereux,	Munford,	Waller,
Durbin,	Oglesby,	White,
Evans,	Owens,	Williams,
Gilbert,	Page,	Wortham,
Glenn,	Poor,	Young—55.
Graves,		

Those who voted for Mr. Letcher, were—

Mr. Speaker,	Hager,	Phillips,
Messrs. Botts, W. S.	Irvine, D.	Salter,
Brown,	Jones, W. L.	Spurr,
Crawford,	Jordan,	Steele,
Fletcher,	Mitchell,	Wade,
Foley,	Pearl,	Walker—18.

Those who voted for Mr. Guthrie, were—

Messrs. Abell,	English,	Moore,
Alnut,	Ireland,	Morton,
Armstrong,	Irvine, J.	Riddle,
Board,	Johnston,	Rouse,
Coleman,	Mansfield,	Spalding,
Desha,	Marshall,	Stevens,
Dickerson,	Mays,	Stevenson,
Elliott, J.	McArthur,	Wheeler,
Elliott, M.	Meriwether,	Wright—27.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus :

For Mr. Underwood, -	-	-	-	-	-	-	67
For Mr. Letcher, -	-	-	-	-	-	-	40
For Mr. Guthrie, -	-	-	-	-	-	-	31

Mr. Brown then withdrew the nomination of Mr. Letcher.

Mr. Salter nominated Mr. Thomas Metcalfe, and Mr. Abell nominated Mr. Robert B. McAfee.

And after interchanging nominations between the two Houses, this House proceeded to take another vote, which stood thus :

Those who voted for Mr. Underwood, were—

Mr. Speaker,	Graves,	Phillips,
Messrs. Alexander,	Haggard,	Poor,
Beeler,	Hall,	Procter,
Bell,	Hanson,	Purdum,
Botts, A. G.	Harrison,	Reed,
Botts, W. S.	Hay,	Rhea,
Bowman,	Hobbs,	Smith,
Bowmar,	Hord,	Soery,
Boyd,	Hoy,	Spurr,
Bradford,	Jones, J. R.	Steele,
Brown,	Jones, W. L.	Stewart,
Bush,	Jordan,	Talbutt,
Clarke,	Martin,	Tandy,
Cobb,	Mayhall,	Thomas,
Crawford,	McCallister,	Thompson,
Crockett,	McHenry,	Vertress,
Covington,	Mitchell,	Waller,
Devereux,	Munford,	White,
Evans,	Oglesby,	Williams,
Foley,	Owens,	Wortham,
Gilbert,	Page,	Young—65.
Glenn,	Pearl,	

Those who voted for Mr. Metcalfe, were—

Messrs. Durbin,	Irvine, D.	Salter—4.
Fletcher,		

Those who voted for McAfee, were—

Messrs. Abell,	Ireland,	Riddle,
Alnut,	Irvine, J.	Rouse,
Armstrong,	Johnston,	Spalding,
Board,	Mansfield,	Stevens,
Coleman,	Marshall,	Stevenson,
Desha,	Mays,	Towles,
Dickerson.	McArthur,	Wade,
Elliott, J.	Meriwether,	Walker,
Elliott, M.	Moore,	Wheeler,
English,	Morton,	Wright—31.
Hager,		

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Meriwether, from said committee, reported that the joint vote stood thus:

For Mr. Underwood, -	-	-	-	-	-	-	84
For Mr. Metcalfe, -	-	-	-	-	-	-	15
For Mr. McAfee, -	-	-	-	-	-	-	39

Mr. Underwood having received a majority of all the votes given, was declared duly elected Senator in Congress for six years from the 4th of March next.

And then the House adjourned.

SATURDAY, FEBRUARY 13, 1847.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act for the benefit of the town of Winchester.

An act to allow an additional constable to Anderson county.

An act allowing an additional Justice of the Peace to Caldwell county.

That they had passed bills from this House, of the following titles, viz:

An act to amend an act incorporating the town of Burksville.

An act to change the name of James Thomas to that of James Thomas Irvine.

That they had passed bills of the following titles, viz:

An act to incorporate the North Kentucky Mutual Insurance Company.

An act for the benefit of Edwin Trimble, clerk of the Floyd county and circuit courts.

An act to amend an act, entitled, an act for the benefit of C. J. Blackburn, approved February 7, 1847.

An act to continue in force an act, entitled, an act to amend an act, entitled, an act for the benefit of the owners of mills and other property injured by slack water, approved 10th February, 1845.

1. Mr. Hobbs presented the preamble and resolutions of a meeting of sundry citizens of Carroll and Trimble counties, on the subject of the action of an abolition mob in the State of Michigan.

2. Mr. Clarke presented the petition of Dr. William N. Gaither, praying that he be allowed the amount of his medical bill against William Hill, out of the Public Treasury.

Which were received, the reading thereof dispensed with, (except the first which was read,) and referred; the 1st to the committee on Federal Relations, and the 2d to the committee on Claims.

Mr. Johnston asked leave to withdraw the petition of Phebe Wilkerson, which was granted, and the same was withdrawn.

Mr. Page, from the committee on Ways and Means, to whom was referred the petition of J. R. Powers, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

The Speaker laid before the House a communication from John M. Helms, which is as follows, viz:

FRANKFORT, KY., FEBRUARY 13, 1847.

To the Hon. LESLIE COMBS,

Speaker of the House of Representatives.

SIR:—I beg leave to inform you, and through you, the House of Representatives of Kentucky, that I am a candidate for the office of Public Printer of Kentucky. I propose to execute the public printing for *fifteen per cent.* less than the price now allowed by law, and paid the Public Printer, for all the printing done for the State. I am a practical printer, and have worked several years in the office of the Public Printer in this State. I will give unquestionable security, if elected, to perform in due time, and in a workmanlike manner, all printing which may be required by the Legislature.

Yours, respectfully,

JOHN M. HELMS.

Ordered, That said communication be referred to the committee on Public Printing.

The Speaker laid before the House a communication from H. M. McCarty, which is as follows, viz:

BARDSTOWN, KY., JANUARY 26, 1847.

Messrs. BOTTS AND THOMAS,

Gentlemen: I promised to write to each of you on my return home in regard to presenting my name as a candidate for the public printing, but as I have but a few words to say, and as you both are equally my friends and advisers, I suppose one letter will suffice for you both.

I am opposed to the principle of *underbidding*, and think Mr. Hodges at present gets no more than is fair and reasonable for his work, (although a practical printer could make something at rates slightly reduced.) But as Monsarrat has offered to do the work at 15 per cent. less than the present prices, I presume Mr. Hodges will offer to do it at the same, and consequently I must come to the same terms. I understood from Mr. Helms, the printer to the Yeoman office, that he would make a still lower bid. Whether he does so or not, this will make no difference with me; my proposition is the

same with Mr. Monsarrat's and under no circumstances will I underbid his offer.

You can, therefore, make known to the committee that I make the same proposition which Mr. Monsarrat makes, and in the event of my election I can in 15 or 18 days have an office fitted up in Frankfort capable of fulfilling the orders of the government.

If it is necessary that a written proposition (more definite than the foregoing instructions,) should be presented to the committee, I authorize you to make a copy of Mr. Monsarrat's offer, and present the same for me.

I should like to receive a copy of Monsarrat's proposition, as it might contain some details that I know not of.

Respectfully,

H. M. McCARTY.

Ordered, That said communication be referred to the committee on Public Printing.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act directing special terms of the circuit courts of Bath, Estill and Lewis counties.

An act to extend the constable's district including Williamstown, in Grant county, and the district of Robert C. Sweeney, a constable of Russell county.

An act for the benefit of D. J. Dodge.

An act to incorporate the First Universalist Society of Louisville.

An act to amend an act, entitled, an act to establish a Library Association at Louisville, approved February 5, 1842.

An act for the benefit of George W. Jones and others.

An act to reduce the number of Justices of the Peace of Anderson county.

An act for the benefit of Elizabeth Bowren and her children.

An act for the benefit of Winston Mayo, clerk of the Johnson circuit court, and for other purposes.

An act to amend the charter of the city of Louisville, and for other purposes.

An act to change the name of Pinchico to that of Rogersville, and for other purposes.

An act to change the names of Noah Sowders, William M. DeCoursey, David S. Lusk and Sally Muncy.

An act for the benefit of John William Holtzclaw.

An act to allow an additional Justice of the Peace to the county of Casey.

An act for the benefit of Joseph C. Linn.

An act authorizing John Woodburn to import a slave into this Commonwealth.

And bills and a resolution which originated in the Senate of the following titles, viz :

An act allowing an additional Justice of the Peace to Caldwell county, and for other purposes.

An act requiring the clerk of the Green county court to qualify William B. Carlisle as sheriff of said county.

An act to allow an additional constable to certain counties.

An act to give further time to make surveys and return plats and certificates, on Kentucky Land Office warrants, to the Register's Office.

An act to allow an additional constable to Boone county.

An act to repeal the law authorizing deeds to be recorded in the clerk's office of the Court of Appeals and General Court.

An act for the benefit of the Trustees of the town of Poplar Plains.

An act to legalize the proceedings of the Green county court in appointing William B. Allen, administrator of John H. Aikin, deceased.

An act for the benefit of Elizabeth Bault, of Adair county.

An act for the benefit of the town of Smithland.

An act for the benefit of the sheriff of Hopkins county.

An act to provide for a change of venue in the prosecution against Joseph H. Coleman.

An act divorcing Catharine W. Hutchison from her husband, Parker N. Hutchison.

An act to divorce Letitia Ann Casey, and to restore her to her maiden name.

An act for the benefit of James Miller, of Adair county.

An act for the benefit of Jonathan Williams.

A resolution fixing a day for the election of Public Officers.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. Brown, from the committee appointed to prepare and bring in the same, reported a bill to amend an act, entitled, an act to reduce into one the several acts exempting property from execution, and for other purposes, approved February 7th, 1845, which was read the first time as follows, viz :

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act, there shall be allowed free from execution, or distress, or attachment, for debt, to each bona fide house keeper, with a family, in addition to the articles now specified, and allowed by law, one work beast and woman's saddle.

SEC. 2. *Be it further enacted*, That any bona fide house keeper, with a family, who shall give up said additional work beast, shall be allowed to select to the amount of fifty dollars, in such property as said house keeper may have, which shall be allowed, free from execution, fee bill, or attachment for debt, or any bona fide house keeper who shall not have said additional work beast, shall also, have the right to select fifty dollars worth of property, which shall be allowed, in place of the additional work beast herein allowed.

Sec. 3. *Be it further enacted*, That in all cases when any contest shall arise between plaintiff and defendant, or officer and defendant, about the additional property herein allowed, it shall be determined by two disinterested house keepers, one to be chosen by the plaintiff or officer, and the other by defendant.

Sec. 4. *Be it further enacted*, That the provisions of this act shall not be so construed as to apply to any contracts or debts entered into or created prior to its passage; and, that the whole amount of property allowed under an act, entitled, an act to reduce into one the several acts exempting property from execution, and for other purposes, approved February 7th, 1845, shall not exceed the sum of three hundred dollars: *Provided*, that all the property aforesaid, shall remain subject to the payment of the revenue tax and county levy.

The question was then taken on ordering said bill to be read a second time, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Brown and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hoy,	Rhea,
Messrs. Alnut,	Ireland,	Smith,
Beeler,	Jordan,	Soery,
Bell,	Mansfield,	Spalding,
Board,	Marshall,	Stevens,
Boyd,	Mayhall,	Stevenson,
Brown,	McArthur,	Stewart,
Coleman,	Meriwether,	Talbutt,
Crockett,	Moore,	Towles,
Covington,	Page,	Wade,
Glenn,	Poor,	Walker,
Hobbs,	Reed,	Wright—36.

Those who voted in the negative, were—

Messrs. Abell,	Foley,	Munford,
Alexander,	Gilbert,	Oglesby,
Armstrong,	Graves,	Owens,
Botts, A. G.	Haggard,	Pearl,
Botts, W. S.	Hager,	Phillips,
Bowman,	Hall,	Procter,
Bradford,	Hanson,	Riddle,
Bush,	Harrison,	Rouse,
Clarke,	Hay,	Salter,
Cobb,	Hord,	Spurr,
Crawford,	Irvine, D.	Tandy,
Desha,	Irvine, J.	Thomas,
Devereux,	Johnston,	Thompson,
Dickerson,	Jones, J. R.	Waller,
Durbin,	Martin,	Wheeler,
Elliott, J.	McCallister,	Williams,

Elliott, M.
Evans,
Fletcher,

McHenry,
Mitchell,
Morton,

Wortham,
Young—56.

Mr. Page, from the committee on Ways and Means, reported a bill for the benefit of Sharshall Grasty, which was read the first time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the county court of Trigg county are hereby authorized, if to them it may seem proper, to grant a license to Sharshall Grasty to retail spirituous liquors at his grocery in Rockcastle, in Trigg county, upon said Grasty's paying the amount required by law of tavern keepers for license, and upon his giving bond such as said county court may require: *Provided, however,* that if it shall at any time appear to the county court that he is abusing the privilege hereby granted him, they shall have power to take away his license.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Smith and Vertress, were as follows, viz :

Those who voted in the affirmative, were—

Messrs. Abell,
Alnut,
Beeler,
Board,
Boyd,
Cobb,
Crawford,
Covington,
Elliott, J.
Haggard,
Hager,
Harrison,

Hoy,
Ireland,
Johnston,
Jordan,
Mansfield,
Marshall,
Mayhall,
McCallister,
Moore,
Morton,
Munford,

Oglesby,
Page,
Pearl,
Reed,
Rhea,
Soery,
Spalding,
Stevens,
Towles,
Wade,
Wheeler—34.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alexander,
Armstrong,
Botts, A. G.
Botts, W. S.
Bowman,
Bradford,
Brown,
Bush,
Clarke,

Foley,
Gilbert,
Hanson,
Hay,
Hobbs,
Hord,
Irvine, D.
Irvine, J.
Jones, J. R.
Martin,

Riddle,
Rouse,
Salter,
Smith,
Spurr,
Stewart,
Talbutt,
Tandy,
Thomas,
Vertress,

Coleman,
Crockett,
Deshu,
Devereux,
Dickerson,
Durbin,
Elliott, M.
Fletcher,

McArthur,
McHenry,
Meriwether,
Mitchell,
Owens,
Phillips,
Poor,
Procter

Walker,
Waller,
White,
Williams,
Wortham,
Wright,
Young—53.

A message was received from the Senate, by Mr. Henderson, asking leave to withdraw their report announcing the passage of a bill from this House, entitled, an act to change the time of holding the spring term of the Whiteley circuit court, which was granted, and the bill was withdrawn.

Mr. Page, from the committee on Ways and Means, to whom was referred a bill for the benefit of W. G. Simpson, H. Todd, and H. H. Calvert, and for other purposes, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Page, from the same committee, to whom was referred a bill for the benefit of John Cain, reported the same with an amendment as a substitute for said bill.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of eighteen dollars be and the same is hereby appropriated out of any money in the Public Treasury, not otherwise appropriated, as a bounty on silk cocoons, raised by John Cain, of Meade county; and the Second Auditor is authorized and required to draw a warrant on the Treasury for said sum, payable to said Cain or order.

The amendment proposed by said committee as a substitute for said bill, is as follows, viz:

SEC. 1. *Be it enacted, &c.*, That hereafter, the bounty to producers of silk cocoons shall be fifty cents per bushel for every bushel which may be produced; and that all reeled silk for manufacturing, and all sewing silk, shall be entitled to a premium of fifty cents per pound; and that all fabrics made of silk, or of which silk is the principal material, shall be entitled to a bounty of ten per cent.

SEC. 2. *Be it further enacted*, That from and after the passage of this act, the bounties aforesaid, shall be subject to a reduction of 20 per centum per annum, until by such reduction the entire bounties be extinguished.

SEC. 3. *Be it further enacted*, That the 2d and 3d sections of an act, granting a bounty on silk cocoons, approved March 3d, 1842, be and the same are hereby adopted, and made applicable to reeled silk, sewing silk, and all silk fabrics, and declared in full force as a part of this act.

Mr. Armstrong moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Devereux, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,	Hager,	Rouse,
Armstrong,	Hord,	Salter,
Beeler,	Hoy,	Smith,
Board,	Ireland,	Spalding,
Bowman,	Irvine, D.	Stevens,
Bush,	Johnston,	Stewart,
Clarke,	Jones, J. R.	Tandy,
Cobb,	Jordan,	Thompson,
Coleman,	Marshall,	Vertress,
Crockett,	Martin,	Walker,
Dickerson,	Mayhall,	Waller,
Elliott, J.	Morton,	White,
Elliott, M.	Owens,	Williams,
English,	Phillips,	Wortham,
Foley,	Procter,	Wright,
Glenn,	Riddle,	Young—49.
Haggard,		

Those who voted in the negative, were—

Messrs. Abell,	Hanson,	Oglesby,
Alexander,	Harrison,	Page,
Botts, A. G.	Hay,	Pearl,
Botts, W. S.	Hobbs,	Poor,
Boyd,	Irvine, J.	Rhea,
Bradford,	Mansfield,	Soery,
Desha,	McArthur,	Spurr,
Devereux,	McHenry,	Talbutt,
Evans,	Meriwether,	Thomas,
Fletcher,	Mitchell,	Towles,
Gilbert,	Munford,	Wheeler—34.
Graves,		

Mr. Page, from said committee, to whom was referred bills from the Senate of the following titles viz:

An act for the benefit of James Davidson, Treasurer.

An act for the benefit of Philip Lightfoot and Isaiah Heston, late sheriffs of Breckinridge county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Page, from the committee on the Judiciary, to whom was referred the petition of J. P. Curtis & Co., asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on the Sinking Fund.

Mr. Glenn, from the committee on Ways and Means, reported a bill to reduce the number of circuit court Judges and fix their salaries, which was read the first time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, when the office of Circuit Judge shall become vacant, by death, resignation, or otherwise, it shall be the duty of the Governor to make a pro tem. appointment until the meeting of the General Assembly, who shall re-district the State so as to include the vacant district in some of the remaining judicial districts; and that the General Assembly continue to merge the districts that may hereafter become vacant, into the remaining districts, until the number of the judicial districts shall amount to no more than thirteen; that the salaries of the Judges of the circuit courts shall be one thousand dollars, and shall be increased in an equal proportion as the number of Judges decrease, so that when they are reduced to thirteen, their salaries shall be fifteen hundred dollars.

Mr. McHenry moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glenn and Page, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Desha,	Meriwether,
Messrs. Armstrong,	Gilbert,	Mitchell,
Beeler,	Haggard,	Oglesby,
Bell,	Hager,	Page,
Botts, A. G.	Hanson,	Reed,
Botts, W. S.	Hay,	Salter,
Boyd,	Hobbs,	Spurr,
Bradford,	Hoy,	Talbott,
Brown,	Irvine, J.	Tandy,
Bush,	Johnston,	Thomas,
Clarke,	Jordan,	Walker,
Cobb,	Martin,	Waller,
Coleman,	McArthur,	Wortham,
Covington,	McHenry,	Wright—42.

Those who voted in the negative, were—

Messrs. Abell,	Jones, J. R.	Smith,
Alexander,	Mansfield,	Soery,
Alnut,	Mayhall,	Spalding,
Board,	Moore,	Stevens,
Crawford,	Morton,	Stevenson,
Crockett,	Munford,	Stewart,

Elliott, J.
Elliott, M.
Evans,
Foley,
Glenn,
Graves,
Ireland,
Irvine, D.

Owens,
Pearl,
Phillips,
Poor,
Rhea,
Riddle,
Rouse,

Thompson,
Towles,
Vertress,
Wade,
Wheeler,
Williams.
Young—40.

Mr. Pearl, from the same committee, reported a bill for the benefit of Thomas W. Pitt, of Calloway county, which was read the first time.

And the question being taken on reading said bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. W. S. Betts read and laid on the table the following resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint resolution for the election of Public Officers be, and the same is hereby rescinded, and that Saturday, the 20th instant, be appointed for the election of Public Officers.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

The said resolution was then twice read and adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Ways and Means—1. A bill for the benefit of the clerk of Cumberland county court.

By Mr. Cobb—2. A bill to regulate the appointment of Trustees for the Knox county Seminary, and for other purposes.

By the committee on the Judiciary—3. A bill for the benefit of the Baptist Church, at Fish Pools, in Jefferson county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House then resolved itself into a committee of the whole on the bill to incorporate the Licking and Lexington Railroad Company ; Mr. Desha in the Chair ; and after some time spent therein, the Speaker resumed the Chair, when Mr. Desha reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

The amendments proposed by the Senate to bills from this House of the following titles, viz :

An act for the benefit of the sheriff of Estill county.

An act allowing additional Justices of the Peace to Knox, Cumberland, Green and Spencer counties.

An act allowing an additional Justice of the Peace to the county of Bath.

An act to change the place of voting in Hart county, from the house of James Simpson to John H. Lively's.

An act to allow two additional Justices of the Peace to the county of Wayne.

An act for the benefit of John R. Ringo.

An act for the benefit of Elias P. Davis and others.

An act for the benefit of the sheriff of Calloway county.

An act to amend the law in reference to guardians and wards.

An act to amend an act, entitled, an act to reduce into one the several acts in relation to the town of Danville, and for other purposes, approved February 16, 1846.

An act for the benefit of James Purvis and others, of Green county.

An act for the benefit of Ann Neal and others.

Were taken up, twice read, and concurred in.

The amendments proposed by the Senate to a bill from this House, entitled, an act for the benefit of the town of Portland, were taken up, twice read, and disagreed to.

On motion of Mr. Williams,

Ordered, That Mr. Alexander be added to the committee appointed to investigate the charges against the Lunatic Asylum.

On motion of Mr. Hanson, leave was given to bring in a bill for the benefit of the sheriff of Bourbon county.

Ordered, That Messrs. Hanson, Salter and Crockett prepare and bring in the same.

And then the House adjourned.

MONDAY, FEBRUARY 15, 1847.

A message was received from the Senate announcing that they had passed a bill, entitled, an act for the benefit of John and Harrison Dobbs.

1. Mr. Wortham presented the petition of Reuben Mathews, praying a change in the State road leading from Cloverport to Bowlinggreen.

2. Mr. Hager presented the petition of the Johnson county court, praying for a reduction of the number of the Justices of the Peace in said county.

3. Mr. Dickerson presented the petition of sundry citizens of Big Eagle precinct, in Scott county, praying a change in the place of voting in said precinct.

4. Also, the remonstrance of sundry citizens of Big Eagle precinct, in Scott county, against any change in the place of voting in said precinct.

5. Mr. Riddle presented the petition of sundry citizens of the town of Irvine, praying an amendment of the laws regulating said town.

6. Mr. Meriwether presented the petition of Nancy B. Alfriend, praying to be divorced from her husband, James L. Alfriend.

7. Mr. Marshall presented the petition of Asa Stewart, praying the passage of a law authorizing a sale of certain lands belonging to the infant heirs of Christopher Martin, deceased.

8. Mr. Crockett presented the petition of J. Corbett, praying to be released from a judgment in the name of the Commonwealth against him.

Which were received, the reading thereof dispensed with, and referred: the 1st to Messrs. Wortham, Smith and Bell; the 2d and 7th to the committee on the Judiciary; the 3d and 4th to the committee on Privileges and Elections; the 5th to the committee on Propositions and Grievances; the 6th to the committee on Religion, and the 8th to the committee on Ways and Means.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Jordan—1. A bill to establish the town of Cornishville, in the county of Mercer.

On the motion of Mr. Wheeler—2. A bill to repeal the charter of the Licking River Navigation Company, approved February 23d, 1846, and to provide for the completion of the navigation of said river.

On the motion of Mr. A. G. Botts—3. A bill to incorporate the Frankfort and Benson Turnpike Road Company.

Ordered, That Messrs. Jordan, Thompson and Walker prepare and bring in the 1st; Messrs. Wheeler, Durbin, Williams, Desha and McArthur the 2d, and the committee on the Judiciary the 3d.

Mr. Smith asked leave to withdraw the petition of A. R. Murray, which was granted, and the same was withdrawn.

Mr. Wright asked leave to withdraw the petition of Elizabeth Hurst, which was granted, and the same was withdrawn.

The House took up the resolution from the Senate, fixing a day for the final adjournment of the General Assembly.

Mr. McHenry moved to refer said resolution to the committee on the Judiciary, with instructions to report the same to the House on Wednesday next at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Armstrong and Coleman, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hager,	Owens,
Messrs. Abell,	Hall,	Page,
Beeler,	Hobbs,	Pearl,
Bell,	Hord,	Phillips,
Board,	Ireland,	Purdum,
Bowmar,	Irvine, D.	Rouse,
Boyd,	Irvine, J.	Soery,
Bradford,	Johnston,	Spalding,
Cobb,	Jones, J. R.	Stevenson,
Crawford,	Jordan,	Stewart,
Covington,	Marshall,	Talbutt,
Devereux,	McArthur,	Tandy,
Dickerson,	McCallister,	Thomas,
Elliott, J.	McHenry,	Thompson,
Elliott, M.	Meriwether,	Walker,
Evans,	Mitchell,	Wheeler,
Fletcher,	Moore,	Williams,
Gilbert,	Morton,	Wright—56.
Graves,	Munford,	

Those who voted in the negative, were—

Messrs. Armstrong,	Glenn,	Procter,
Bowman,	Harrison,	Riddle,
Bush,	Hay,	Smith,
Clarke,	Hoy,	Stevens,
Coleman,	Martin,	Wortham,
Durbin,	Oglesby,	Young—20.
Foley,	Poor,	

Mr. McHenry, from the committee on the Judiciary, to whom was referred a bill to regulate the time of holding the circuit courts in the 2d and 7th judicial districts, and for other purposes, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate announcing that they had passed a bill, entitled, an act authorizing a special chancery term of the Garrard circuit court.

The said bill was then read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred the petition of Miles Kelly, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Stevenson, from the same committee, to whom was referred a bill ordering the payment of the amount due Grayson and Edmonson counties on the road leading from the mouth of Salt river to Bowlinggreen, reported the same without amendment.

Ordered, That said bill be re-committed to the same committee, with instructions to report a bill providing for all cases of a similar character.

Mr. Stevenson, from the committee on Internal Improvement, reported the following bills, viz:

A bill to amend the charter of the Louisville Turnpike Road Company.

A bill to revive and amend the Shepherdsville and Louisville Turnpike Company.

A bill to settle and adjust the claims of John Bussing.

A bill to amend the charter of the Nashville and Louisville Turnpike Road Company.

A bill for the establishment of fish traps.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Stevenson, from the same committee, to whom was referred bills from the Senate of the following titles, viz:

1. An act for the benefit of James Jenkins, of Warren county.

2. An act to permit flat boats and other crafts descending the navigable streams in this Commonwealth, from a point above the influence of slack water, to pass over the dams free of toll.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

The yeas and nays being required on the passage of the 2d bill by Messrs. Crockett and Procter, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Foley,	Oglesby,
Messrs. Abell,	Glenn,	Page,
Armstrong,	Graves,	Poor,
Beeler,	Hager,	Riddle,
Bell,	Harrison,	Salter,
Bowman,	Hord,	Smith,
Bowmar,	Hoy,	Stevenson,
Bush,	Ireland,	Stewart,
Clarke,	Irvine, D.	Talbutt,
Cobb,	Irvine, J.	Tandy,
Crawford,	Jordan,	Thompson,
Covington,	Mansfield,	Towles,
Dickerson,	Martin,	Walker,
Elliott, J.	Meriwether,	Wheeler,
Elliott, M.	Mitchell,	Williams,
Evans,	Moore,	Wortham,
Fletcher,	Munford,	Young—51.

Those who voted in the negative, were—

Messrs. Board,	Hobbs,	Phillips,
Botts, A. G.	Johnston,	Procter,
Boyd,	Jones, J. R.	Purdom,
Bradford,	Marshall,	Reed,
Coleman,	Mayhall,	Rouse,
Crockett,	McArthur,	Soery,
Devereux,	McCallister,	Spalding,
Durbin,	McHenry,	Stevens,
Gilbert,	Morton,	Thomas,
Hall,	Owens,	Wright—32.
Hay,	Pearl,	

Mr. Munford, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the Senate, entitled, an act authorizing a special term of the Garrard circuit court, and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. Williams, from the committee on Federal Relations, to whom was referred resolutions from the Senate in relation to a modification of the tariff laws, so as to admit duty free, books, &c., imported for the use of colleges and schools, reported the same without amendment.

The said resolutions were then twice read and concurred in.

The House then resolved itself into a committee of the whole on the bill to incorporate the Licking and Lexington Railroad Company; Mr. Hobbs in the Chair; and after some time spent therein, the Speaker resumed the Chair,

when Mr. Hobbs reported that the committee had, according to order, had under consideration the bill aforesaid, and had adopted sundry amendments thereto, which he handed in at the Clerk's table.

And then the House adjourned.

TUESDAY, FEBRUARY 16, 1847.

A message was received from the Senate, announcing their concurrence in the adoption of a resolution from this House, rescinding the resolution for the election of public officers, and fixing another day for such election.

That they had passed a bill from this House, entitled, an act giving the Livingston County Court power to change the State road in said county, and for other purposes.

That they had passed a bill, entitled, an act to incorporate the Cynthiana and Millersburg Turnpike Road Company.

1. Mr. Devereux presented the petition of sundry citizens of Daviess county, praying that permission be given Jonathan P. Barnett to build a mill dam across Panther creek.

2. Mr. Boyd presented the petition of sundry citizens of Livingston county, praying the passage of a law allowing the Trustees of Common Schools, in said county, to draw their proportion of the Common School fund.

Which were received, the reading thereof dispensed with and referred; the 1st to the committee on the Judiciary and the 2d to the committee on Education.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Armstrong—1. A bill to incorporate the Synephebian Society of the Masonic College at Lagrange.

On the motion of Mr. Cobb—2. A bill to add an additional Justice of the Peace and Constable to Harlan county.

On the motion of Mr. Rouse—3. A bill for the benefit of the Boone county Court.

On the motion of Mr. Dickerson—4. A bill for the benefit of the widow and heirs of James Watson.

On the motion of Mr. Waller—5. A bill for the benefit of the children of Samuel Y. Garrison.

On the motion of Mr. Bradford—6. A bill to amend the road law in Bracken county.

Ordered, That Messrs. Armstrong, Pearl and Coleman prepare and bring in the 1st; Messrs. Cobb, Pearl and Foley the 2d; the committee on the Judiciary the 3d and 4th; Messrs. Waller, Marshall and Proctor the 5th; and Messrs. Bradford, Evans and Williams the 6th.

Mr. Evans read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to cause two national salutes to be fired, on the public square in Frankfort, on the morning of the 22d inst., at sun rise, in commemoration of the birth of the Father of his country.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

The said resolution was twice read and adopted.

Mr. Rouse asked leave to withdraw the petition of William Goodridge; which was granted and the same was withdrawn.

A message was received from the Governor, by Mr. Kinkead, Secretary of State, which is as follows, viz:

Gentlemen of the Senate and House of Representatives:

It has been communicated to me, in a manner not to be doubted, that since the commencement of the present session of the General Assembly, William Henry, who, and N. Craig, Esq., were elected Keepers of the Penitentiary until the 1st of March, 1849, has departed this life. If the principle applicable to officers at common law, govern the case, the death of Mr. Henry terminated the authority of both Keepers, and the Institution is at present without any legally authorized agent and manager. I have therefore deemed it due to the interest of the Commonwealth to present the case to the General Assembly, that such action may be had as in their wisdom may be proper.

WM. OWSLEY.

Ordered, That said message be referred to the committee on the Judiciary.

A message was received from the Governor, by Mr. Kinkead, Secretary of State, which is as follows, viz:

Gentlemen of the Senate and House of Representatives:

I herewith transmit joint resolutions of the General Assembly of the State of Ohio, which have been forwarded to me by the Governor of that State, with a request that they should be laid before the Legislature of Kentucky.

I also transmit the inaugural address of the Governor, which was also forwarded by him, and which contains a recommendation upon which, I am informed, the resolutions are based.

The letter of the Governor of Ohio, which accompanied the resolutions, is also transmitted for your inspection.

WM. OWSLEY.

EXECUTIVE DEPARTMENT, COLUMBUS,

February 10th, 1847. }

To the Governor of Kentucky:

SIR: I have the honor to forward the inclosed joint resolutions of the General Assembly of the State of Ohio, with a request that you will lay them before the Legislature of your State.

You will also find inclosed, a copy of the inaugural, containing a recommendation upon which these resolutions are based.

Should the proposition meet the approbation of Kentucky, Commissioners will at once be appointed to carry the negotiation into effect.

In witness whereof, I have hereunto set my hand, and the great
[SEAL.] Seal of the State of Ohio, this 10th day of February, one thousand eight hundred and forty seven.

WILLIAM BEBB.

Joint Resolutions relative to the boundaries of the States of Virginia, Kentucky and Ohio.

Resolved by the General Assembly of the State of Ohio, That a Board, to consist of three Commissioners, citizens of Ohio, be appointed by the Governor of this State, who shall be authorized to meet a like Board to be appointed by the State of Kentucky, at such time and place as may be agreed upon, and to enter into a compact with such Kentucky Commissioners, settling the jurisdiction, or boundary, or both, upon that part of the Ohio river which divides the States of Ohio and Kentucky: *Provided*, that such compact shall not be considered as binding until the same be ratified by the said States, respectively, and by the Congress of the United States.

Resolved, That the same Board of Ohio Commissioners be also authorized to meet a like Board, to be appointed by the State of Virginia, at such time and place as may be agreed upon, and to enter into a compact with such Virginia Commissioners, settling the jurisdiction, or boundary, or both, upon that part of the Ohio river which divides the States of Ohio and Virginia: *Provided*, that such compact shall not be considered as binding until the same be ratified by the said States of Virginia and Ohio, respectively, and by the Congress of the United States.

Resolved, That the Governor be authorized to supply any vacancy which may happen in the Board of Ohio Commissioners, and that said Board report their proceedings, under these resolutions, to the General Assembly of Ohio at the next session, and that they be allowed the sum of three dollars per day for each day they may be occupied in the business of their commission, and three dollars for every twenty five miles of travel, to be paid out of any moneys in the Treasury not otherwise appropriated, on the warrant of the Auditor of State, who shall adjust their accounts.

Resolved, That the Governor of this State forward a copy of these resolutions to the Governors of the States of Kentucky and Virginia, respectively, with a request that they be laid before the Legislatures of said States.

WILLIAM P. CUTLER,

Speaker of the House of Representatives.

EDSON B. OLDS,

Speaker of the Senate.

February 8th, 1847.

Inaugural address of William Bebb, upon taking the oath of office, as Governor of the State of Ohio, in presence of both branches of the forty fifth General Assembly.

Gentlemen of the Senate and House of Representatives:

The past history and present condition of the State of Ohio, present interesting subjects for the contemplation and instruction of her legislators and statesmen. Half a century has but just elapsed since the victory of Wayne over the Indians on the Maumee, and the consequent treaty of Greenville gave to the North Western Territory peace, and to the tenants of its rustic abodes assurance of safety.

This great central valley of the west was then in all its primeval grandeur—its mountains, lakes and gulf, its rivers gliding over cataracts or meandering through vast alluvial plains—its boundless prairies and herds of buffaloes—its forests, unrivalled in extent and variety, and its great tribes of aborigines who, from time unknown, had been the lords of this vast domain. The bold outlines of the scene remain unchanged and unchangeable. The mountains are here and the lakes, the rivers still flow in their channels, but the buffalo have been hunted from the prairies and the deer from the forest. Logan and Tecumseh are no more. The spirit of their race is broken. Their children have sullenly retired beyond the "Father of Waters," and buried the red scalping knife in the ashes of despair. The yells of the war dance, the eloquence of the council, and the incantations of the prophet, are seen and heard no more; but in their stead, halls of legislation, courts of justice, and temples consecrated to Christianity. The annals of man present no example where the triumphs of civilization, in so brief a period, have been so brilliant and complete.

Our own State of Ohio, embracing a very favored portion of this great valley, stands out before the eyes of all men a wonder, for her progress in population, wealth and power; for her metropolis of near a hundred thousand souls; her agricultural and mechanical productions, her public works, her colleges, asylums and schools; and her population of two millions of people, enjoying more of the necessities and comforts of life, and enduring fewer of its privations, miseries and wants, than any equal number of men in any age of the world.

Compared with the great resources of the State, present and prospective, even her large debt of nineteen millions of dollars is seen, at a glance, to be entirely under her control. She owns eight hundred miles of navigable canals, and is largely interested in twelve hundred miles of McAdams roads, besides her stocks in the chains of railroads which will ere long be completed from Lake Erie to the Ohio river. The valuation returned under her new revenue law, shows that she has over four hundred millions of dollars worth of taxable property.

And no man, born within the limits of the State of Ohio, at the period of the formation of her constitution, who has marked with filial affection and pride her every step from that hour until the present—no man who has ever been out upon her lakes and rivers, up and down her beautiful valleys, over her hills and plains, in her mines, workshops and farm houses, meeting, every where, a population whose spirit of enterprise and industry "endureth all things and never faileth," can avoid the realization that she has but just entered upon the threshold of her future greatness and prosperity, or fail to see that her population have, as yet, cleared but here and there a spot

in her forests, occupied but a few sites of her immense water power, and but just begun to open her inexhaustible mines of iron and fields of coal. Before the lapse of twenty years her population will have increased, from two to four millions, and her taxable property from four hundred millions to a thousand millions of dollars.

The cause of this unexampled prosperity, is as much without a parallel in history as the effect. It will be found in the natural resources of the State, in the security of titles to land, in the early protection and liberal policy of the general government. It will be found in the character of her population, who, instead of emerging through long ages from barbarism to civilization, brought with them freedom, law, christianity, and the arts of civilized life. It will be found in her free constitution, conferring on her Executive neither patronage nor the *veto* power; and in her legislation, which, in the main, has been liberal and wise. It will be found in the Ordinance of 1787. That great charter of North Western liberty was here before our fathers. It had guarantied to every emigrant the liberty of conscience—the right of trial by jury—the right of equal representation—and the inviolability of private property. It had declared that “no law impairing the validity of contracts, previously made without fraud, should ever have any binding authority within the territory.” And it had proclaimed, that “schools, and the means of education, should forever be encouraged; for the plain reason, that religion, morality, and knowledge, are necessary to good government and the happiness of mankind.”

But, of all the provisions of that ordinance, the most important to the cause of humanity, and the most beneficent in its operation upon the morals, the rights, the happiness, and the prosperity of the millions, who, in all time to come, will inhabit these States, is that which makes the soil north west of the river Ohio, forever incapable of sustaining a slave.

With African servitude, as the framers of our government found it within the limits of the original slave holding States, the people of Ohio have no desire to meddle. Not that we look upon the subject with cold indifference, or ever cease to contemplate with earnest solicitude as men and as Americans, the course which our brethren of those States, united with us in the same great bond of union, may feel it to be their duty no less than their true interest, to pursue towards that oppressed and down-trodden race; nor, much less, that we countenance the doctrine broached by some, that human slavery is not in itself an evil, but because we look upon it as an institution beyond our jurisdiction, subject to the control alone, of the legislatures and people of the several States wherein it exists. There the convention which framed our Federal Constitution found it, and there they were compelled reluctantly to leave it. But surely it is matter of rejoicing to us no less than of honor to our fathers, that, in laying the foundations of the social system here, where slavery had never existed, they in great wisdom and humanity hedged it out, by a perpetual interdict, and consecrated the land to freedom.

In contemplating the history of that period, and dwelling upon the difficulties which beset our fathers, in compromising the conflicting interests of the several sections of the Union, how cheering it is, thus to witness the ever living doctrines of the Declaration of American Independence bursting forth into practical operation wherever it was possible to give them immediate efficacy!

And how should a sense of deep humiliation and guilt fall upon us, the descendants of such men, when with the prosperous career of Ohio and of the other free States of the North Western Territory before our eyes, and with all the lights of this age of Christianity and freedom beaming upon us, we compare or rather contrast the ordinance of 1787 with the constitution of Texas, the one perpetually prohibiting slavery, and the other perpetually prohibiting freedom! How can we reflect upon the motives and means which brought about the annexation of that province with such a constitution!—a constitution fastening slavery forever upon a vast region wherein a neighboring republic had already ‘broken every yoke and let the oppressed go free.’

And how, with the constitution of the United States in our hands, proclaiming that Congress alone shall have power to declare war, can we behold a President of the United States trample that sacred instrument in the dust, deliberately, and without the advice of Congress then in session, involve the country in a foreign war of conquest, and yet not dare give utterance to our indignant condemnation of his unconstitutional acts! Where is the man who does not know and feel that this Mexican war is a *presidential* war! A war which before its commencement Congress would not have declared! A war begun without adequate cause, and without any great, justifiable and commensurate object, compatible with the interests and integrity of the Union. A war conducted without wisdom of design at Washington, and relieved from utter disaster and public odium only by the prudence, bravery and brilliant exploits of General Taylor and his gallant army of regulars and volunteers, who have triumphantly upheld our national banner, and won for themselves imperishable renown, and the gratitude of their country.

In conclusion of this subject, let it never be forgotten, that whilst the freemen of Ohio will in all time to come, as they have in all times past, cheerfully march to the field of battle at the call of the constituted authorities of the country, they will not fail, by word and deed, by the ballot-box, and all other constitutional means in their power, to hold those functionaries to a strict accountability for every violation of the trust committed to their hands, and especially for every infraction of that great constitution, to which we are indebted, not merely for liberty, but for our national existence, and which is worth infinitely more to us than the conquest of the continent.

It may be thought that these are subjects belonging exclusively to the General Government, and that Ohio has no right, either through the messages of her Executive, or the resolutions of her Legislature, to express her opinions concerning them. But Ohio is not an isolated State; she is one of a great confederacy of sister States. As such, she has passed her solemn judgment upon these and other great questions of national policy, and it is for that reason that I have referred to them.

It is for that reason that I feel called upon, in her name, to protest against the repeated exercise of the *veto power*, which sees nothing in all the West constitutional or worthy of its regard but snags and sand-bars, and which for years has been obstructing the healthful channels of legislation, and swallowing up, one by one, all the powers of the government, just as these favorite objects of its protection have been choking up our rivers, and engulfing our steamboats, our commerce, and our lives.

She has also entered and proclaims her protest against that odious and oft-rejected sub-treasury system re-enacted at the last session of Congress,

not only because it deranges the currency—renders the public treasury insecure, and magnifies the power of the self-constituted Monarch of the United States, but because it inevitably tends to drain the specie of the country from Ohio and all the interior States of the Union, to the great seaports, where the revenues of the nation are collected, and where, according to the constitutional veto system of administering the government, they are to be disbursed also.

Ohio furthermore claims the right to declare that by reason of her great natural resources for manufacturing, her superabundance of food, and her scarcity of fabrics, her inland position, where the cost of the importation of foreign goods, and especially of the exportation of her own agricultural productions, must, if continued, prove forever a heavy tax upon her labor, she has been induced to invest large sums in manufacturing and mechanical pursuits. That unlike the older establishments of some of her sister States, these branches of industry are in that infant state requiring protection. That she has no confidence in a foreign market for her great staples except in seasons of starvation abroad, like the present. That she must have home manufactures and a home market. That she never will submit to free trade and direct taxation. That the people were prosperous under the Tariff of 1842; and that she believes that not only the revenues of the country but all her industrial interests demand its immediate restoration.

Deriving what lessons of experience we may from the present condition and past history of the State of Ohio, her true policy seems to be sufficiently obvious. She requires no important measures of legislation at the present session of her General Assembly.

Let her great currency and revenue laws, deliberately sanctioned, as they have been, by the voice of her people, *stand*, with such indispensable amendments, if any, as experience has shown to be just and necessary.

Let her Colleges, Asylums and Schools continue to receive at your hands such consideration and support as their great importance demands, and I especially recommend the appointment of a superintendent of common schools.

Let her plighted faith be maintained inviolate. By upholding the laws already enacted, providing the means for the payment not only of the interest but the principal of her debt. By refraining from all further works of internal improvement by the State, until the debt be paid. By strict economy in the administration of all the departments of the government.

By offering to actual settlers such reasonable reduction in the price of the canal lands, and giving to them, on payment of the annual interest, such time for the liquidation of the principal as will bring about their sale and improvement, that the region five miles wide on each side of your north-western canals may no longer be a wilderness. By short sessions of the General Assembly, and restraining within reasonable bounds the desire for innovation upon legislation, both general and local.

Let those enactments, very properly by universal consent denominated the "black laws of Ohio," be repealed. They are impolitic, unjust and inhuman; at war with the genius of our free institutions and spirit of the age in which we live.

There is one other subject which I would recommend to the special consideration of the Legislature. It is a fact well known, that a question of jurisdiction has arisen between Ohio and Virginia; the latter claiming to the

top of the bank on the Ohio side of the river—a claim wholly inadmissible and which can never be acceded to by this State. The question is still undecided. There is danger that other collisions will arise between the authorities and people of the State of Ohio and those of the States possessing the opposite shore of the river, which may disturb the harmony so desirable to maintain with our sister, and especially our border States. The question of jurisdiction and boundary, if not otherwise amicably adjusted, must sooner or later be determined by a resort to the Supreme Court of the United States, in the mode prescribed by the Constitution for the settlement of controversies between different States. It is much better, if it can be done, to settle these questions amicably and in such a manner as best to promote the convenience of the people on both sides of the river than to resort to litigation.

I, therefore, recommend that the General Assembly of Ohio propose the appointment of Commissioners, with full power to make settlement both with Virginia and Kentucky, by separate compacts, of the questions of boundary, and also of the use, navigation and jurisdiction of and over the Ohio river, or the settlement of either of these questions. The compacts thus entered into would no doubt readily receive the assent of Congress, in conformity with the 10th section of the 1st article of the Constitution of the United States, and thus become binding.

I am induced the more cheerfully to propose this amicable mode of putting forever at rest these complicated and delicate questions, from the assurance which I feel, founded upon the known patriotism of both Virginia and Kentucky, and their dispositions, as manifested on many occasions, to promote the harmony of the States and of the Union, that the offer will, by them, be met in the same cordial spirit of amity in which originates.

The able and detailed statement of our affairs already given to you at the present session by my immediate predecessor, who, during a period of far more than ordinary difficulty, has discharged his high duties with so much fidelity and patriotism, renders it unnecessary that I should, on the present occasion, say more.

With these very brief and general recommendations, therefore, I confidently commend the interests of Ohio to the wisdom of her Legislature, praying that Almighty Being who rules in the armies of Heaven and amongst the inhabitants of the earth, who guided our fathers to the shores of the new world, who made bare his arm in our defence on the battle-fields of the Revolution, and went out before our pioneer ancestors into this western wilderness as a cloud by day and a pillar of fire by night, that he will not visit upon us our manifold national transgressions; that he will give to our rulers wisdom and our people peace; and that in all time to come he will be the God of our children as in the days of old he was the God of our fathers.

WILLIAM BEBB.

Ordered, That said message be referred to the committee on Federal Relations.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Wortham—1. A bill to authorize the County Court of Grayson to change the State roads in said county.

By Mr. Wright—2. A bill to repeal the 5th section of an act to establish a Marine Railway in the town of Hickman.

By the committee on Ways and Means—3. A bill for the benefit of Jacob Corbett.

By Mr. Smith—4. A bill for the benefit of John D. Gillmore.

By Mr. Jordan—5. A bill to establish the town of Cornishville.

By Mr. Stevenson—6. A bill to incorporate the Globe Manufacturing Company.

By Mr. Devereux—7. A bill for the benefit of Elizabeth Shoemaker.

By the committee on Internal Improvement—8. A bill to repeal in part, an act entitled, an act declaring Bayou De Chein, in Hickman county, a navigable stream, and for other purposes.

By same—9. A bill to amend an act, entitled, an act to incorporate the Danville and Houstonville Turnpike Road Company, and for other purposes.

By same—10. A bill to amend an act, entitled, an act to incorporate the town of Independence.

By same—11. A bill for the benefit of the Lexington and Covington Turnpike Company.

By same—12. A bill authorizing Greenberry Reynolds to erect a mill dam on Salt river.

By same—13. A bill for the benefit of Thomas May and George B. Adams.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Stevenson, from the same committee, to whom was referred bills of the following titles, viz:

A bill to incorporate the Carlisle and Sharpsburg Turnpike Company.

A bill to amend the laws in relation to the Wilderness road.

A bill to incorporate the Georgetown and Paris Turnpike Road Company.

A bill for the benefit of Henry G. Mitchell, of Warrea county.

A bill authorizing the County Court of Nicholas, to change or discontinue a State road.

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. A. G. Botts moved a reconsideration of the vote passing a bill from this House, entitled, an act to amend the charter of the Louisville Turnpike Company.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to Messrs. McHenry, A. G. Botts, Hobbs, Page and Hanson, with instructions to report the same to the House on Tuesday next, at 11 o'clock, A. M.

Mr. Williams, from the committee on Federal Relations, to whom was referred the preamble and resolutions read and laid on the table by Mr. Glenn, and the substitute proposed by Mr. Graves, reported the same with the following as a substitute therefor, viz:

Whereas, the patriotism and valor of the officers and soldiers of our army in Mexico has received, as it has justly merited, the approbation of the people of Kentucky, and of the Union; and, whereas, the only reward of a gallant soldier is the consciousness of having performed faithfully his duty, and its appreciation by his countrymen. Therefore—

Resolved by the General Assembly of the Commonwealth of Kentucky, That, entertaining a sense of the chivalrous patriotism which has so eminently distinguished the officers and soldiers of our army in Mexico, we tender to their prudent and intrepid commander, General Zachary Taylor, and to the officers and soldiers under his command, the warmest admiration and confidence of the Legislature and the people of Kentucky.

Resolved, That his Excellency, the Governor of Kentucky, be requested to transmit a copy of these resolutions and preamble to General Taylor.

Which was adopted.

The said preamble and resolutions were then twice read and adopted.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of Isham Thomas.

An act to authorize toll gate No. 3, on the Georgetown and Williamstown Turnpike Road, and for other purposes.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Stevenson, from the same committee, to whom was referred, a bill from the Senate, entitled, an act for the benefit of Thomas Merime and Prudence Shadburn, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required thereon by Messrs. Morton and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Graves,	Purdum,
Messrs. Abell,	Hanson,	Reed,
Armstrong,	Hobbs,	Rouse,
Beeler,	Hoy,	Smith,
Botts, A. G.	Irvine, J.	Soery,
Bowmar,	Johnston,	Spalding,
Bush,	Jones, J. R.	Talbutt,
Crockett,	Mansfield,	Thomas,
Covington,	McHenry,	Towles,
Desha,	Meriwether,	Vertress,
Devereux,	Mitchell,	Walker,
Dickerson,	Moore,	Waller,
Darbin,	Munford,	Wheeler,
Elliott, J.	Oglesby,	Williams,
Elliott, M.	Page,	Wortham,
Evans,	Pearl,	Young—50.
Gilbert,	Poor,	

Those who voted in the negative, were—

Messrs. Bell,	Harrison,	Owens,
Bowman,	Hay,	Phillips,
Bradford,	Hord,	Procter,
Clarke,	Ireland,	Riddle,
Cobb,	Irvine, D.	Salter,
Coleman,	Jones, W. L.	Stevens,
Crawford,	Jordan,	Stevenson,
Fletcher,	Martin,	Stewart,
Foley,	McArthur,	Tandy,
Hager,	McCallister,	White,
Hall,	Morton,	Wright—33.

Mr. Reed, from the joint select committee, to whom was referred resolutions directing an enquiry into the present organization of the Board of In-

ternal Improvement, and the extension of slack water navigation on the Kentucky river, by applying convict labor, &c., made the following report, viz :

[For this Report—see *Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the General Assembly.

Mr. Reed, from said committee, reported a bill to extend the slack water navigation on the Kentucky river, and for other purposes, which was read the first time as follows, viz :

[For this Bill—see *Legislative Documents.*]

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Smith moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Messrs. Armstrong,	Elliott, J.	McCallister,
Beeler,	Elliott, M.	Morton,
Bell,	Foley,	Owens,
Board,	Glenn,	Pearl,
Bowman,	Graves,	Purdom,
Bowmar,	Hager,	Smith,
Clarke,	Hall,	Stevens,
Cobb,	Hay,	White,
Coleman,	Johnston,	Williams,
Crockett,	Jones, J. R.	Wortham,
Durbin,	Jones, W. L.	Wright—33.

Those who voted in the negative, were—

Mr. Speaker,	Hoy,	Procter
Messrs. Abell,	Ireland,	Reed,
Botts, A. G.	Irvine, D.	Riddle,
Boyd,	Irvine, J.	Rouse,
Bradford,	Jordan,	Salter,
Bush,	Mansfield,	Soery,
Crawford,	Marshall,	Spalding,
Covington,	Martin,	Stevenson,
Desha,	McArthur,	Stewart,
Devereux,	McHenry,	Talbutt,
Dickerson,	Meriwether,	Tandy,
Evans,	Mitchell,	Thomas,
Fletcher,	Moore,	Towles,
Gilbert,	Munford,	Vertress,
Hanson,	Oglesby,	Walker,

Harrison,
Hobbs,
Hord,

Page,
Phillips,
Poor,

Waller.
Wheeler,
Young—54.

Ordered, That said bill be made the special order of the day for Monday next.

The House then took up the bill to incorporate the Licking and Lexington Railroad Company.

The amendments proposed by the committee of the whole to said bill, were then concurred in.

The said bill was then further amended, and as amended, reads as follows, viz :

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all persons who shall become stockholders, pursuant to this act, in the Company hereby authorized, shall be and are hereby made a body corporate, under the name of "The Licking and Lexington Railroad Company," with power to construct and maintain a railway, with a double or single track, with such appendages as may be deemed necessary for the convenient use of the same, commencing at any eligible point in or near the town of Newport, in Campbell county, or Covington, in Kenton county, thence by the most practicable route, through or near Falmouth, Cynthiana, and Paris, to the city of Lexington, and such point therein as may be agreed on by the Directors of said road and the City Council of Lexington.

Sec. 2. The capital stock of said Company shall be one million of dollars, to be increased, if necessary, to complete the road and purchase the necessary depots at each end, and along the line of the road ; which capital stock shall be divided into shares of fifty dollars each, and be deemed personal property.

Sec. 3. Richard Hawes, James M. Arnold and Jeremiah Duncan, of Bourbon county ; Henry Duncan, Robert S. Todd, Benjamin Gratz, Leslie Combs and John B. Tilford, of Lexington ; Lucius Desha, Joseph Shawhan, Wm. K. Wall and G. W. Berry, of Harrison county ; John B. Casey, John S. Finley, Charles A. Withers, Herman J. Groesbeck, John Mackoy, and George M. Southgate, of Kenton county ; S. Thos. Hauser, A. Robbins, Richard Mullins and Reuben McCarty, of Pendleton county ; James Taylor, Jr., Samuel Winston, Wm. B. Ross, Isaiah T. Hayman, James M. McArthur, F. A. Miller, Benjamin D. Beall and Robert Air, of Campbell county, shall be commissioners for receiving subscriptions to the capital stock of the corporation, agreeably to the provisions of this act.

Sec. 4. It shall be the duty of said commissioners, within twelve months after the passage of this act, to give notice in one or more papers in Covington, Lexington, Cincinnati, Paris, and in such other papers as may be deemed proper, once a week, for three weeks in succession, of the time of opening books for the subscription to said stock ; and they shall open books at Lexington, Paris, Cynthiana, Falmouth, Newport, Cincinnati, Ohio, and such other places as they may deem fit ; at each of which places, one or more of said commissioners shall attend, on the day fixed, and for three days successively ; and during at least six hours of each day, shall continue to receive subscriptions to the capital stock of said corporation, from all persons or companies who will subscribe thereto, in conformity with the provisions of this act.

SEC. 5. Each subscriber, at the time he subscribes, shall pay to the commissioners five dollars on each share of the stock subscribed by him.

SEC. 6. If, at the expiration of the time mentioned in the fourth section of this act, it shall appear that more than the requisite number of shares have been subscribed, it shall be the duty of the commissioners to distribute the same among the subscribers, deducting the excess from the largest sums subscribed; and if, at the expiration of said time, the amount subscribed be less than two hundred and twenty-five thousand dollars, the commissioners shall take further measures to fill the subscriptions to that amount, when the books shall again be closed.

SEC. 7. As soon as may be, after the closing of the books, the commissioners shall give notice of the time and place at which a meeting of the stockholders will be held for the choice of Directors; such notice shall be published in one or more papers of general circulation, as may be along the line or route of said road, and in the newspapers first above referred to, as may be deemed proper. At the time and place appointed for such election, the commissioners, or some of them shall attend; and the stockholders, or their proxies duly appointed in writing, and their certificates recorded in the books of the corporation, shall be evidence of the election of the Directors therein named. All subsequent elections shall be conducted in the manner prescribed by the by-laws of said corporation.

SEC. 8. Each stockholder shall be allowed as many votes as he owns shares of stock, at the commencement of any election of Directors, and a plurality of votes shall determine the choice.

SEC. 9. The Directors shall hold their offices for one year, and until others shall be elected in their stead; they shall appoint one of their number President, and some suitable person as Secretary, of the corporation; they shall, moreover, appoint all such officers and agents as the convenience of the Company may require.

SEC. 10. The Directors shall have power to cause such examinations and surveys of the route for said railroad to be made, as may be necessary to the selection, by them, of the most advantageous line, course, or way, for said road; and the Board of Directors shall, as soon thereafter as practicable, select the route on which said road shall be constructed.

SEC. 11. The corporation is hereby empowered to purchase, receive, and hold, such real estate as may be necessary and convenient in accomplishing the object for which the corporation is granted; and may, by their agents, engineers, and surveyors, enter upon such route, place or places selected, as aforesaid, by their directors, as the line whereon to construct the said railroad; and it shall be lawful for the said corporation to enter upon, and take possession of, and use all such lands and real estate as may be necessary for the construction and maintenance of said railroad, and the accommodations requisite to, and appertaining unto them; and may also receive, hold, and take all such voluntary grants and donations of land and real estate as may be made to said corporation, to aid in the construction, maintenance, or accommodation of said road or ways; but all lands or real estate, thus entered upon and used by said corporation, and all earth, timber, gravel, and other materials, needed by said Company, shall be purchased of the owners thereof, at a price to be mutually agreed upon between them; and in case of any disagreement of the owner, as to the price of any lands or materials so required for said road, or if the owners are under any disability in law, to con-

tract, or are absent from the county, application may be made, either by said owners or by said corporation, to any Judge of Circuit Court, or any Justice of County Court, within which said lands or materials may be, specifying the lands or materials so required, or already appropriated, and thereupon, said Judge or Justice shall issue his warrant, in writing, directed to the Sheriff of the county, requiring him to summon an inquest of twelve freeholders of the county, who shall not be stockholders, nor interested therein, to appear at or near said lands or materials to be valued, on a day named in said warrant, not less than five or more than ten days after issuing the same; and if any of the persons do not attend, the said Sheriff shall forthwith summon as many as may be necessary to fill said inquest; and the persons so empanelled shall, on their oaths or affirmations, value the damages which the several owners will sustain by the use or occupation of the lands, or materials, or property required by said Company; and said inquest shall reduce their valuation to writing; and such valuation, when paid or tendered to said owners, or deposited in any specie paying Bank to their credit, or their proper representatives, shall entitle said Company to the materials, use and occupation of said land, for the purposes of said road, and all estates and interests therein, as fully as if it had been conveyed by the owners of the same; and every sheriff and freeholder so acting shall receive one dollar per day for his services, to be paid by said Company; either party may, within ten days after such valuation is made, appeal from the same to the Circuit Court of the county, by giving notice thereof to the opposite party, or by filing in the Clerk's office a copy of such valuation, with notice thereto annexed; and said court may, for good cause shown, order a new valuation; and on final hearing, the court shall award costs according to equity.

SEC. 12. Whenever it shall be necessary for the construction of the railroad to intersect or cross any stream of water, or water course, or any road or highway lying in or across the route of said road, it shall be lawful for the corporation to construct the said railway across or upon the stream; but the corporation shall restore the stream, or water course, or road, or highway, thus intersected, to its former state, or in a sufficient manner not to impair its usefulness; and if said corporations, after having selected a route for said railway, find any obstacle to continuing said location, either by the difficulty of construction, or procuring right of way at a reasonable cost, or whenever a better and cheaper route can be had, it shall have authority to vary the route and change the location.

SEC. 13. The said corporation shall have power to locate and construct branch roads from the main route, to other towns or places in the several counties through or near which said road may pass.

SEC. 14. It shall be lawful for the Directors to require payment of the sums to be subscribed to the capital stock, at such time and in such instalments as they shall see fit; and if instalments remain unpaid for sixty days after the time of payment has elapsed, the Board may collect the same by suit, or shall have power to sell the stock at public auction, for instalments then due, (giving twenty days' notice of the time and place of sale, by advertisement in a newspaper in general circulation in the county where such sale is to be made,) and costs of making said sale, and the residue of the price obtained shall be paid over to the former owner.

SEC. 15. That said Company may demand and receive for tolls upon, and transportation of goods, produce, merchandise, or property of any kind

whatsoever, by them along said railway, any sum not exceeding the following rates: on all goods, merchandise, or property of any description, transported by them, a sum not exceeding one and one half cents per mile for toll; five cents per ton, per mile, for transportation; and for the transportation of passengers, not exceeding three cents per mile, for each passenger.

SEC. 16. The State shall have the right, at any time after the expiration of thirty-five years from the passage of this act, to purchase and hold said railroad for the use of the Commonwealth, at a price not exceeding the original cost for the construction of the road, and the necessary and permanent fixtures thereto at the time of the purchase, and fifteen per centum thereon; of which cost an accurate statement, in writing, shall be submitted to the Legislature, duly attested by the oath of the officers of said Company, if required by the Legislature.

SEC. 17. If the subscribers to the Company hereby created shall not become so far organized as to elect a Board of Directors within two years from the passage of this act, and within eighteen months thereafter, make *bona fide* contracts for the construction of at least one-fifth of said road, the privileges of said corporation shall cease, and this act be void; and if said Company shall not complete said road within ten years, the further privilege of constructing the same shall also cease and revert to the State.

SEC. 18. That any other Railroad Company which has been, or may hereafter be chartered by law of this State, may join and connect any railroad with the road hereby contemplated, and full right and privilege is hereby reserved to the State, or individuals, or any company incorporated by law of this State, to cross this road: *Provided*, that in so crossing, no injury shall be done to the works of the Company hereby incorporated, on such terms as said Company may agree, and on payment of the proper tolls, to have their cars drawn on the road hereby authorized, by the Licking and Lexington Railroad Company, without delay and without unloading; the said Licking and Lexington Railroad Company to furnish the motive power at a reasonable price.

SEC. 19. The Directors of said Company shall, semi-annually, make and declare a dividend of the profits arising from the business of the Company, after deducting their present liabilities, and the current and probable contingent expenses, and divide the same among the stockholders, in proportion to the number of their respective shares.

SEC. 20. That when any vacancy shall occur in the Board of Directors of the Licking and Lexington Railroad Company, by death, resignation, or other cause, the Board remaining shall have power to fill such vacancy; and the person or persons so appointed shall continue in office until the next annual election for Directors of said Company.

SEC. 21. That the said Licking and Lexington Railroad Company, so formed as aforesaid, shall have perpetual succession of members, may have a common seal, may sue and be sued, plead and be impleaded in any court of law or equity, and may make all such rules, regulations and by-laws as are necessary for the government of the corporation, or effecting the object for which it is created: *Provided*, such rules, regulations and by-laws shall not be repugnant to the laws and constitution of this State, or of the United States.

SEC. 22. That if any person or persons shall wilfully and maliciously injure the said road, or any building, machine, or other works of the said cor-

poration, appertaining thereto, the person or persons so offending shall forfeit and pay to the said corporation double the amount of damages sustained by means of such offence, injury or obstruction, to be recovered in the name of said corporation, and with costs of suit, in any court having cognizance thereof, and shall also be subject to indictment in the circuit court in the county where the offence was committed; and upon conviction, shall be punished by fine, not exceeding three hundred dollars, or imprisonment not exceeding sixty days, or both, at the discretion of the court.

Sec. 22. That the President and Directors of said Company shall cause to be paid into the Treasury of this Commonwealth, a tax of twenty five cents annually, on each share of stock owned and held by any stockholder of said Company, the same to be collected as now, or hereafter may be provided by law for the collection of the State revenue: *Provided*, that no citizen of this Commonwealth shall be required to list any share he may hold in said road under the equalization law; the tax imposed by this act shall be collected only upon the cost of the road, as the said road is completed and put in use.

Sec. 23. That the State of Kentucky reserves to itself the right, at any time hereafter, to extend this charter to any other point or points in the State; and in the event this charter shall be extended, the stock which may be subscribed for the extension of this road, shall be joint stock with that which may be subscribed under the present charter; and the profits arising from the whole road, thus extended, shall be divided among the stockholders thereof, as though the whole stock had been subscribed under the present charter.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Proctor and Desha, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Fletcher,	Munford,
Messrs. Abell,	Glenn,	Phillips,
Botts, A. G.	Graves,	Poor,
Bradford,	Hager,	Purdum,
Bush,	Hall,	Rouse,
Clarke,	Hanson,	Salter,
Cobb,	Harrison,	Smith,
Crawford,	Hord,	Stevenson,
Covington,	Hoy,	Stewart,
Desha,	Ireland,	Talbott,
Devereux,	Irvine, D.	Waller,
Dickerson,	Martin,	Wheeler,
Durbin,	Mayhall,	Williams,
Elliott, J.	McArthur,	Wright,
Elliott, M.	McCallister,	Young—47.
Evans,	Moore,	

Those who voted in the negative, were—

Messrs. Armstrong,	Irvine, J.	Page,
Beeler,	Johnston,	Procter,
Bell,	Jones, J. R.	Reed,
Board,	Jones, W. L.	Soery,
Bowman,	Jordan,	Spalding,
Bowmar,	Mansfield,	Stevens,
Boyd,	Marshall,	Tandy,
Coleman,	McHenry,	Thomas,
Crockett,	Meriwether,	Vertrees,
Foley,	Mitchell,	Walker,
Gilbert,	Morton,	White,
Hay,	Owens,	Wortham—37.
Hobbs,		

Resolved, That the title thereof be as aforesaid.

A message was received from the Governor, by Mr. Kinkead, Secretary of State, which is as follows, viz :

Gentlemen of the Senate and House of Representatives :

I herewith transmit a copy of resolutions adopted by the General Assembly of the State of Missouri, forwarded to me by the Secretary of State of that State, with a request that the same be laid before the Legislature of Kentucky.

WM. OWSLEY.

Joint Resolutions introduced by Gen. E. L. Edwards, of the House of Representatives, and adopted by the General Assembly of the State of Missouri :

WHEREAS, The policy of the government of the United States is, to rely mainly on the citizen soldier for protection of her national honor and national rights; and whereas, the equality of man is a fundamental principle in our government, and it is against the spirit of our free institutions to build up a system of privileged aristocracy, by the fostering care of government, among any class of her citizens, and at the expense of the people thereof; and whereas, by law and the regulations of the army of the United States, an invidious distinction is made between the officers of the army and soldier thereof, inconsistent with our republican form of government, therefore:

Resolved by the General Assembly of the State of Missouri, as follows :

1st. That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to procure such alteration and modification in the laws and regulations of the army of the United States as will abolish the great distinction now existing between the officers and soldiers thereof, and place them on an equality consistent with our free institutions, as far as practicable.

2d. That, as one means of producing such equality, they use their best exertions to procure the increase of the pay of the soldier to a fair and reasonable compensation for their services; and that the pay of the officers of the army be reduced to a fair and reasonable compensation for their services.

3d. That such other alterations and modifications be made, as will place the officer and soldier as near upon an equality as is consistent with military duty in time of war.

4th. That permanent provision be made by law for the widow and children of such officers and soldiers as die or are killed while in service in the army of the United States, during the war: *Provided*, That no preference shall be given, or distinction made between the widow and orphan of the officer and those of the common soldier.

5th. That the Secretary of State be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress, and to the Executive of each State, with the request that the same be laid before their respective Legislatures.

Approved February 2, 1847.

Ordered, That said message be referred to the committee on Federal Relations.

A message was received from the Senate announcing that they insist on their amendment to a bill from this House, entitled, an act for the benefit of the town of Portland, and had appointed a committee of Conference on their part, to act in conjunction with a committee on the part of this House, in relation to the disagreement between the two Houses.

Whereupon, Messrs. Hobbs, Meriwether and Page were appointed the committee on the part of this House.

Bills from the Senate, of the following titles, viz:

1. An act for the benefit of Isaac Gray, deputy sheriff of Caldwell county.
2. An act for the benefit of James Stinson, of Pulaski county.
3. An act for the benefit of Hannah Caldwell, of Livingston county.
4. An act to appoint a commissioner to settle the accounts of the Superintendent of Public Instruction.
5. An act to incorporate the town of Neetsville, in Adair county.
6. An act for the benefit of Ann L. Clements.
7. An act for the benefit of the administrator and heirs of Henry Durrett, deceased.
8. An act for the benefit of John U. Watson and Pemberton Cave.
9. An act for the benefit of the devisees of Lewis Butler, deceased.
10. An act to incorporate the town of Springfield, in Washington county.
11. An act to incorporate the faculty of the Western Military Institute.
12. An act to incorporate the Independent Temperance Society, of Pulaski county.
13. An act to incorporate the North Kentucky Mutual Insurance Company.
14. An act for the benefit of Edwin Trimble, clerk of the Floyd county and circuit courts.
15. An act for the benefit of John and Harrison Dobbs.
16. An act to amend an act, entitled, an act for the benefit of C. J. Blackburn, approved February 7, 1847.

17. An act to revive and continue in force an act, entitled, an act to amend an act, entitled, an act for the benefit of the owners of mills and other property injured by slack water, approved 10th February, 1845.

18. An act to incorporate the Cynthiana and Millersburg Turnpike Road Company.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st, 2d and 3d were referred to the committee on Claims; the 4th, 5th, 6th, 7th, 8th and 9th were severally ordered to be read a third time; the 10th, 12th, 13th, 14th and 16th were referred to the committee on the Judiciary; the 11th to the committee on Military Affairs; the 15th to the committee on Religion, and the 17th and 18th to the committee on Internal Improvement.

The rule of the House, constitutional provision and third reading of the 4th, 5th, 6th, 7th, 8th and 9th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act to incorporate the Louisville Rolling Mill Company.

Which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

WEDNESDAY, FEBRUARY 17, 1847.

A message was received from the Senate announcing that they had passed bills of the following titles, viz:

An act declaring a forfeiture of the charter of the Licking River Navigation Company.

An act for the benefit of William Rowlett, of Owen county.

An act for the benefit of James Jackman.

An act for the benefit of Harriet and Anderson R. Murray.

An act to run and and establish the line between the counties of Livingston and Caldwell.

An act for the benefit of the sheriff of Mercer county.

An act to change the name of the Mechanics Savings Institution of Louisville.

1. Mr. Bowman presented the petition of the Trustees of School District No. 18, in the county of Casey, praying the passage of a law directing the payment of the amount due said district out of the Common School Fund.

Which was received, the reading thereof dispensed with, and referred to the committee on Education.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution originating in this House, of the following titles, and had found the same truly enrolled.

An act for the benefit of Ann Neal and others.

An act for the benefit of John R. Ringo.

An act to allow two additional Justices of the Peace to the county of Wayne, and one to the county of Bath.

An act to change the place of voting in Hart county, from the house of James Simpson to John H. Lively's, and for other purposes.

An act allowing additional Justices of the Peace to Knox, Cumberland, and Green counties.

An act allowing additional Justices of the Peace to the counties of Bath and Henry.

An act to change the name of James Thomas to that of James Thomas Irvine.

An act for the benefit of the sheriff of Estill county.

An act for the benefit of Elias P. Davis and others.

An act to amend the law in reference to guardians and wards.

An act to amend an act, entitled, an act to reduce into one the several acts in relation to the town of Danville, and for other purposes, approved February 16, 1846.

An act to amend an act incorporating the town of Burksville.

An act giving to the Livingston county court power to change the State road in said county, and for other purposes.

An act for the benefit of James Purvis and others, of Green county.

An act for the benefit of the sheriffs of Calloway and Breathitt counties.

A resolution rescinding the resolution for the election of Public Officers, and fixing another day for such election.

Also, bills and a preamble and resolutions, which originated in the Senate, of the following titles, viz:

An act for the benefit of Philip Lightfoot and Isaiah Heston, late sheriffs of Breckinridge county.

An act for the benefit of James Davidson, Treasurer.

An act for the benefit of Isham Thomas.

An act for the benefit of the town of Winchester.

An act for the benefit of James Jenkins, of Warren county.

An act to permit flat boats and other crafts descending the navigable streams in this Commonwealth, from a point above the influence of slack water, to pass over the dams free of toll.

An act to establish and incorporate the town of Sherburn, in Fleming county.

An act to authorize a survey of the town of Mount Washington, and for other purposes.

An act to authorize toll gate No. 3, on the Georgetown and Williams-town Turnpike Road, and for other purposes.

An act to appoint a commissioner to settle the accounts of the Superintendent of Public Instruction.

An act for the benefit of Ann L. Clements.

An act for the benefit of John U. Watson and Pemberton Cave.

An act for the benefit of the devisees of Lewis Butler, deceased.

Preamble and resolutions in relation to a modification of the tariff laws, so as to admit duty, free, books, &c., imported for the use of colleges and schools.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

1. Mr. Bush presented the petition of Zadock Kid, committee for William Calmes, a lunatic, praying the confirmation of the sale of a tract of land belonging to said lunatic.

2. Mr. Vertress presented the petition of sundry citizens of Elizabethtown, praying the passage of a law prohibiting the sale of spirituous liquors in said town by the small.

3. Also, the petition of sundry citizens of Hardin county, praying for an additional Justice of the Peace to said county.

Which were received, the reading dispensed with, and referred; the 1st and 3d to the committee on the Judiciary, and the 2d to the committee on Religion.

On motion of Mr. Durbin,

Ordered, That the committee on Propositions and Grievances be discharged from the further consideration of the petition of Thomas J. Miller, and that the same be referred to the committee on Internal Improvement.

Mr. Mitchell, from the committee on the Penitentiary, reported a bill in relation to the Penitentiary.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

Mr. Hanson moved a re-consideration of the vote referring to the committee on Internal Improvement, with instructions to bring in a bill embracing all cases of a similar character, the bill ordering the payment of the amount due Grayson and Edmonson counties on the road leading from the mouth of Salt river to Bowlinggreen.

And the question being taken thereon, it was decided in the affirmative.

The question then recurred on referring said bill with said instructions, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wortham and McArthur, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Durbin,	Oglesby,
Alnut,	Glenn,	Owens,
Bowman,	Hager,	Phillips,
Bradford,	Ireland,	Rouse,
Bush,	Mansfield,	Spalding,
Coleman,	McArthur,	Wheeler—18.

Those who voted in the negative, were—

Mr. Speaker,	Gilbert,	Page,
Messrs. Armstrong,	Graves,	Pearl,
Beeler,	Hanson,	Poor,
Bell,	Harrison,	Purdum,
Board,	Hay,	Reed,
Botts, A. G.	Hobbs,	Riddle,
Bowmar,	Hoy,	Smith,
Clarke,	Irvine, D.	Soery,
Crawford,	Irvine, J.	Stevens,
Crockett,	Johnston,	Stewart,
Covington,	Jones, J. R.	Talbutt,
Desha,	Jordan,	Tandy,
Devereux,	Martin,	Thomas,
Dickerson,	McCallister,	Thompson,
Elliott, J.	McHenry,	Vertress,
Elliott, M.	Meriwether,	Waller,
Evans,	Mitchell,	Williams,
Fletcher,	Moore,	Wortham,
Foley,	Morton,	Young—57.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there be, and is hereby appropriated, the sum of \$1,183, being the amount due Grayson county on the road leading from the mouth of Salt river, to Bowlinggreen; and that the Auditor of Public Accounts be, and he is hereby directed, to issue his warrant in favor of Isaac Thomas,

agent and commissioner for Grayson county, on the Treasury, for the aforesaid amount; and that the Treasurer be, and he is hereby directed, to pay the same out of any money in the Treasury not otherwise appropriated.

Sec. 2. *Be it further enacted,* That there be, and is hereby appropriated, the sum of \$950, being the amount due Edmonson county, on the road leading from the mouth of Salt river, to Bowlinggreen; and that the Auditor of Public Accounts be, and he is hereby directed, to issue his warrant on the Treasury in favor of A. M. Barret, commissioner for Edmonson county, for that purpose; and that the Treasurer be, and he is hereby directed, to pay the same out of any money in the Treasury not otherwise appropriated.

The question was taken on the passage of said bill, and decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Armstrong and Owens, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hoy,	Reed,
Messrs. Beeler,	Irvine, D.	Riddle,
Bell,	Irvine, J.	Smith,
Botts, A. G.	Jordan,	Soery,
Covington,	Martin,	Spalding,
Devereux,	McHenry,	Talbutt,
Elliott, J.	Meriwether,	Tandy,
Evans,	Mitchell,	Thomas,
Gilbert,	Moore,	Vertress,
Graves,	Page,	Young—33.
Harrison,	Pearl,	

Those who voted in the negative, were—

Messrs. Abell,	Elliott, M.	Oglesby,
Alnut,	Fletcher,	Owens,
Armstrong,	Foley,	Phillips,
Board,	Glenn,	Poor,
Bowman,	Hager,	Procter,
Bowmar,	Hanson,	Purdom,
Bradford,	Hay,	Rouse,
Bush,	Hobbs,	Stevens,
Clarke,	Ireland,	Stewart,
Coleman,	Johnston,	Thompson,
Crawford,	Jones, J. R.	Walker,
Crockett,	Mansfield,	Wheeler,
Desha,	McArthur,	Williams,
Dickerson,	McCallister,	Wortham—44.
Durbin,	Morton,	

Mr. Glenn moved a re-consideration of the vote rejecting said bill.

Mr. Crockett moved the previous question.

Mr. Williams moved to lay the motion of Mr. Glenn on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Soery and Wortham, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Durbin,	Phillips,
Alnut,	Elliott, M.	Procter,
Armstrong,	Fletcher,	Purdum,
Beeler,	Foley,	Reed,
Board,	Glenn,	Riddle,
Bowman,	Hager,	Rouse,
Bowmar,	Hanson,	Smith,
Boyd,	Hay,	Soery,
Bradford,	Hobbs,	Stevens,
Bush,	Ireland,	Stewart,
Clarke,	Johnston,	Thompson,
Cobb,	Jones, J. R.	Walker,
Coleman,	McArthur,	Wheeler,
Crawford,	McCallister,	Williams.
Crockett,	Morton,	Wortham,
Covington,	Oglesby,	Wright,
Desha,	Owens,	Young—53.
Dickerson,	Pearl,	

Those who voted in the negative, were—

Mr. Speaker,	Irvine, D.	Moore,
Messrs. Bell,	Irvine, J.	Page,
Botts, A. G.	Jordan,	Poor,
Evans,	Mansford,	Spalding,
Gilbert,	Martin,	Talbutt,
Graves,	McHenry,	Tandy,
Harrison,	Meriwether,	Thomas,
Hoy,	Mitchell,	Vertress—24.

Mr. Wortham moved a reconsideration of the vote laying on the table the motion of Mr. Glenn.

Mr. Evans moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the vote laying on the table the motion of Mr. Glenn be re-considered? and it was decided in the negative.

Mr. McHenry, from the committee on the Judiciary, to whom was referred the resolution from the Senate, fixing a day for the final adjournment of the General Assembly, reported the same with an amendment, to strike out from said resolution "the 22d instant," and insert in lieu thereof "the 1st of March next."

A division of the question being called for, the question was first taken on striking out, and decided in the affirmative.

The question was then taken on filling the blank in said resolution with "the first of March next," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Armstrong and Stevens, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hall,	Pearl,
Messrs. Abell,	Hanson,	Phillips,
Beeler,	Harrison,	Poor,
Bell,	Hay,	Purdom,
Botts, A. G.	Hobbs,	Reed,
Bowmar,	Hord,	Rouse,
Bush,	Hoy,	Salter,
Cobb,	Ireland,	Smith,
Crawford,	Irvine, D.	Stevenson,
Crockett,	Irvine, J.	Stewart,
Covington,	Jones, W. L.	Talbutt,
Devereux,	Jordan,	Tandy,
Dickerson,	Mansfield,	Thomas,
Elliott, J.	Mayhall,	Thompson,
Elliott, M.	Marshall,	Towles,
Evans,	Mays,	Vertress,
Fletcher,	McArthur,	Walker,
Foley,	McHenry,	Waller,
Gilbert,	Mitchell,	Wheeler,
Glenn,	Moore,	Williams,
Graves,	Morton,	Wortham—65.
Hager,	Page,	

Those who voted in the negative, were—

Messrs. Alnut,	Durbin,	Procter,
Armstrong,	Johnston,	Riddle,
Board,	Jones, J. R.	Soery,
Bowman,	Martin,	Spalding,
Boyd,	McCallister,	Stevens,
Bradford,	Meriwether,	White,
Clarke,	Oglesby,	Wright,
Coleman,	Owens,	Young—25.
Desha,		

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred the petition of James Ford and Thomas L. Stevens, reported the same with the following resolution, viz :

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Stevenson, from the same committee, reported a bill for the benefit of Lewis Vimont, which was read the first time.

And the question being taken on reading said bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. Stevenson, from the same committee, reported a bill to incorporate the Cumberland Navigation Company,

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to Messrs. Williams, Covington, Young Reed and Waller, with instructions to report the same to the House tomorrow at 10 o'clock, A. M.

Mr. Waller, from the committee on Education, reported a bill to amend and establish, permanently, the system of common schools in this Commonwealth.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

Ordered, That said bill be referred to a committee of the whole for Monday next at 10 o'clock, and that the public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Ordered, That the committee of the whole be discharged from the further consideration of the bill to repeal an act, entitled, an act the better to protect the rights of married women, approved February, 1846, and the substitute proposed for said bill by the committee on the Judiciary.

The said bill and substitute reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, that an act, entitled, "an act further to protect the rights of married women," approved February 23, 1846, be and the same is hereby repealed.

Substitute.

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the fourth section of an act, approved February 23, 1846, entitled, "an act further to protect the rights of married women," be and the same is hereby repealed.

SEC. 2. Be it further enacted, That nothing in the third section of said act shall be so construed as to impair, affect, or exempt any interest in real estate which any husband had acquired by marriage previous to the passage of said act.

Mr. W. L. Jones moved to lay said bill and substitute on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wortham and Smith, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hall,	Phillips,
Messrs. Alnut,	Hanson,	Procter
Armstrong,	Harrison,	Reed,
Beeler,	Hay,	Riddle,
Board,	Hord,	Salter,
Bowmar,	Hoy,	Soery,
Boyd,	Ireland,	Spalding.
Bush,	Irvine, D.	Stevens,
Coleman,	Jones, W. L.	Stewart,
Covington,	Jordan,	Talbutt,
Desha,	Mansfield,	Tandy,

Devereux,
Durbin,
Elliott, J.
Elliott, M.
Fletcher,
Gilbert,
Glenn,

Marshall,
Martin,
Mays,
McCallister,
Mitchell,
Munford,

Thomas,
Thompson,
Walker,
Waller,
Wheeler,
Young—52.

Those who voted in the negative, were—

Messrs. Abell,
Bell,
Botts, A. G.
Bowman,
Bradford,
Clarke,
Cobb,
Crawford,
Crockett,
Dickerson,
Evans,

Foley,
Graves,
Hager,
Hobbs,
Irvine, J.
Jones, J. R.
McArthur,
McHenry,
Meriwether,
Moore,
Morton,

Oglesby,
Owens,
Page,
Pearl,
Poor,
Rouse,
Smith,
Vertress,
Williams,
Wortham—32.

Mr. Waller moved the following resolution, viz :

Resolved, That the Superintendent of the Kentucky Institution for the Education of the Blind, be permitted to hold an examination and exhibition of his pupils in this Hall at 3 o'clock this afternoon, and that the House will remain organized during the time.

Which was adopted.

Ordered, That the committee of the whole be discharged from the further consideration of the bill to amend the law of descents.

On motion of Mr. Wortham,

Ordered, That said bill be laid on the table.

Ordered, That the committee of the whole be discharged from the further consideration of the bill to amend the execution laws.

The said bill reads as follows, viz :

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That upon all contracts hereafter made, and all causes of action hereafter arising, in lieu of the specific articles of property now exempt from execution, there shall be exempt from execution or distress, property to be selected by each defendant in execution, to the amount and value of two hundred and fifty dollars, if a married person or a housekeeper, and provisions and fuel sufficient for the family six months; *or if a single person, one hundred dollars*, which shall be ascertained and fixed in the following manner: It shall be the duty of the officer who shall have an execution or executions in his hands, before proceeding to levy the same, to cause two disinterested housekeepers of his county, not related to either of the parties, to affix the value in cash on such articles of property selected by the defendant, and owned by him or her. The plaintiff in said execution shall select one of said valuers, and the defendant the other; and if they disagree, the officer shall select a third; each of whom shall be sworn by said officer, that

he will faithfully and impartially, to the best of his skill and judgment, affix a value on said property; and if the parties, or either of them, fail thus to select, the said officer shall select for him, her or them.

SEC. 2. And the property so selected and valued, the defendant or defendants shall be permitted to hold and retain, as exempt from that or any other execution or warrant of distress whatever. And it shall be the duty of the officer to give to said defendant or defendants a list of the property so reserved and retained. And should any officer thereafter levy upon or sell the whole, or any part of said property, so selected and retained, after said officer shall be notified of said selection and retention, he shall be deemed guilty of a trespass, and of having sold property not subject to execution.

SEC. 3. *Be it further enacted*, That all acts or parts of acts, coming within the purview of this act, be and the same are hereby repealed.

Mr. Vertress moved to amend said bill in the 1st section by striking out the words printed in italics, and adding to the bill the following section, viz:

That nothing in this act shall be so construed as to exempt any property from the payment of the county levy or revenue tax.

Mr. Morton moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Desha and Oglesby, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Armstrong,	Hay,	Phillips,
Beeler,	Hobbs,	Procter,
Bell,	Hord,	Purdum,
Board,	Ireland,	Riddle,
Botts, A. G.	Irvine, D.	Rouse,
Bowman,	Johnston,	Salter,
Bush,	Jones, J. R.	Soery,
Clarke,	Jordan,	Spalding,
Cobb,	Mansfield,	Stewart,
Coleman,	Marshall,	Tandy,
Covington,	Martin,	Thomas,
Devereux,	McHenry,	Thompson,
Elliott, J.	Mitchell,	Waller,
Elliott, M.	Morton,	White,
Foley,	Munford,	Williams,
Gilbert,	Oglesby,	Wortham,
Hanson,	Pearl,	Young—52.
Harrison,		

Those who voted in the negative, were—

Messrs. Abell,	Glenn,	Poor,
Alnut,	Graves,	Reed,
Bowmar,	Hall,	Smith,
Boyd,	Hoy,	Stevens,
Bradford,	Irvine, J.	Stevenson,
Crockett,	Jones, W. L.	Talbutt,
Desha,	Mayhall,	Towles,

Dickerson,
Durbin,
Evans,
Fletcher,

McArthur,
Meriwether,
Owens,
Page,

Vertress,
Walker,
Wheeler,
Wright—33.

Ordered, That the committee of the whole be discharged from the further consideration of the bill to amend the rules of chancery practice.

Ordered, That said bill be engrossed and read a third time.

Mr. McHenry moved that said bill have its third reading now.

And the question being taken thereon, it was decided in the affirmative.

The said bill was then read a third time.

And then the House adjourned.

THURSDAY, FEBRUARY 18, 1847.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act for the benefit of Thomas Merimee and Prudence Shadburn.

An act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company.

That they had concurred in the report of the joint committee of Conference upon the disagreement between the two Houses, upon the amendment proposed by the Senate to a bill from this House, entitled, an act for the benefit of the town of Portland.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of W. G. Simpson, H. Todd, H. H. Calvert, and for other purposes.

An act for the benefit of Martin Fugate, late sheriff of Pendleton county.

An act for the benefit of Christopher C. Lillard and others, sheriffs of Anderson county.

An act for the benefit of the sheriff of Owsley county.

An act for the benefit of the sheriff of Union county.

An act to regulate the time of holding the circuit courts in the 2d and 7th judicial districts, and for other purposes.

With amendments to the two last named bills.

That they had concurred in a resolution from this House for firing two national salutes on the 22d of February.

That they had passed bills of the following titles, viz:

An act to regulate the clerk's and trustee's fees for services rendered under the jury laws.

An act for the benefit of John Green, former sheriff of Henderson county, and for other purposes.

An act for the benefit of the clerk of the Hickman county court.

An act to amend the charter of the town of Harrodsburg.

1. Mr. Hobbs presented the petition of the Methodist Society, worshipping at the stone meeting house in Jefferson county, praying the passage of a law authorizing them to sell said meeting house.

2. Mr. Crockett presented the petition of sundry citizens of the town of Milbourne, praying that power be given the Trustees thereof to license retailers of spirituous liquors.

Which were received, the reading thereof dispensed with, and referred to the committee on the Judiciary.

Mr. Rhea asked leave to withdraw the petition of Edmund R. Sumpter, which was granted, and the same was withdrawn.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Alnut—1. A bill to amend an act in relation to dams and other obstructions to water courses.

By Mr. Bradford—2. A bill to amend the road law in the county of Bracken.

By Mr. Cobb—3. A bill to allow an additional Justice of the Peace and constable to the county of Harlan, and additional Justices of the Peace to Owen and Trimble counties.

By Mr. Rhea—4. A bill to amend an act, entitled, an act providing for a State road from Adairsville, in Logan county, to Bowlinggreen, in Warren county.

By Mr. Poor—5. A bill to change the mode of bringing suits in certain cases.

By Mr. McArthur—6. A bill authorizing the county court of Campbell to change a State road.

By Mr. Waller—7. A bill to amend the several acts incorporating the city of Maysville.

By the committee on Privileges and Elections—8. A bill to change the place of voting in the Fox precinct, in the county of Fleming, and the Chesnut Grove precinct, in Shelby county.

By Mr. J. Elliott—9. A bill authorizing the county of Morgan to sell public grounds.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st, 2d, 3d, 4th, 6th, 7th, 8th and 9th were severally ordered to be engrossed and read a third time, and the 5th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 6th, 7th, 8th and 9th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Pearl, from the committee to whom was referred the bill to reduce the salaries of Circuit Judges, and other officers of this Commonwealth, reported the same with an amendment as a substitute for said bill, which was concurred in.

The said bill, as amended, reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, the following officers of this Commonwealth, hereinafter mentioned, shall be paid out of the Public Treasury the following salaries, annually, viz: the Circuit Judges of this Commonwealth, one thousand dollars each; to the Chancellor of the city of Louisville, eighteen hundred dollars; to the Auditor of Public Accounts, one thousand dollars; to the Register of the Land Office, one thousand dollars; to the Louisville City Judge, one thousand dollars; to the Keeper of the Library of the State, two hundred dollars; to the Clerk in the Secretary's office, six hundred dollars; to the Clerk of the Sinking Fund, three hundred dollars; to the Attorney's for the Commonwealth, two hundred and fifty dollars each.

Mr. Graves moved to amend said bill by adding the following:

That from and after the 4th Tuesday in August, 1848, the Governor of this Commonwealth shall receive only two thousand dollars.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and J. Elliott, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,
Armstrong,
Bowman,
Coleman,
Desha,
Durbin,
Elliott, J.
Elliott, M.
English,

Foley,
Graves,
Hager,
Jones, J. R.
Jordan,
Meriwether,
Moore,
Oglesby,

Owens,
Riddle,
Spalding,
Stevens,
Vertress,
Wheeler,
White,
Williams—25.

Those who voted in the negative, were—

Mr. Speaker,	Harrison,	Phillips,
Messrs. Beeler,	Hay,	Poor,
Bell,	Hobbs,	Procter,
Board,	Hord,	Reed,
Boyd,	Ireland,	Rhea,
Bradford,	Irvine, D.	Rouse,
Brown,	Irvine, J.	Salter,
Bush,	Johnston,	Smith,
Clarke,	Jones, W. L.	Spurr,
Cobb,	Mansfield,	Stevenson,
Crawford,	Martin,	Talbutt,
Crockett,	McArthur,	Tandy,
Covington,	McCallister,	Thomas,
Devereux,	McHenry,	Walker,
Dickerson,	Mitchell,	Waller,
Evans,	Munford,	Wortham,
Gilbert,	Page,	Wright,
Glenn,	Pearl,	Young—55.
Haggard,		

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Page moved to amend said bill by adding thereto the following engrossed clause, by way of ryder, viz:

That the members of the General Assembly shall, after its present session, receive one dollar and fifty cents per diem, and no more, as compensation for their services.

Mr. Wortham moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the engrossed ryder, proposed by Mr. Page, be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Page and Procter, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Hall,	Page,
Alnut,	Hay,	Pearl,
Armstrong,	Hobbs,	Procter,
Brown,	Hoy,	Reed,
Clarke,	Irvine, D.	Rhea,
Crockett,	Jones, J. R.	Riddle,
Covington,	Jordan,	Spurr,
Devereux,	McArthur,	Stewart,
Dickerson,	McCallister,	Waller,
English,	Moore,	White,

Evans,
Graves,

Oglesby,
Owens,

Williams,
Wright—36.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Bell,
Board,
Botts, A. G.
Botts, W. S.
Bowman,
Boyd,
Bradford,
Bush,
Cobb,
Coleman,
Crawford,
Desha,
Durbin,
Elliott, J.
Elliott, M.
Foley,

Gilbert,
Glenn,
Haggard,
Hager,
Harrison,
Hord,
Ireland,
Irvine, J.
Johnston,
Jones, W. L.
Mansfield,
Martin,
McHenry,
Meriwether,
Mitchell,
Munford,
Phillips,

Poor,
Rouse,
Salter,
Smith,
Soery,
Spalding,
Stevens,
Stevenson,
Talbutt,
Tandy,
Thomas,
Vertress,
Walker,
Wheeler,
Wortham,
Young—50.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Pearl and Hay, were as follows, viz :

Those who voted in the affirmative, were—

Messrs. Abell,
Alnut,
Beeler,
Bell,
Board,
Bowman,
Bowmar,
Bradford,
Brown,
Cobb,
Coleman,
Desha,
Durbin,
Elliott, J.
Elliott, M.
English,
Foley,
Glenn,
Graves,

Haggard,
Hager,
Hord,
Hoy,
Ireland,
Johnston,
Jones, J. R.
Jordan,
Mansfield,
Martin,
Moore,
Morton,
Munford,
Oglesby,
Owens,
Pearl,
Phillips,
Purdom,

Riddle,
Rouse,
Salter,
Smith,
Soery,
Spalding,
Stevens,
Stewart,
Talbutt,
Vertress,
Wade,
Walker,
Wheeler,
White,
Williams,
Wortham,
Wright,
Young—55.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alexander,

Evans,
Gilbert,

McHenry,
Meriwether,

Armstrong,
Botts, A. G.
Botts, W. S.
Boyd,
Bush,
Clarke,
Crawford,
Crockett,
Covington,
Devereux,
Dickerson,

Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Irvine, D.
Irvine, J.
Jones, W. L.
Mayhall,
McArthur,
McCallister,

Mitchell,
Page,
Poor,
Procter,
Reed,
Rhea,
Spurr,
Stevenson,
Tandy,
Thomas,
Waller—39.

Resolved, That the title thereof be as aforesaid.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act for the benefit of Henry G. Mitchell, Leander A. Mitchell, and John Mitchell, reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of the bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Coleman and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Armstrong,
Beeler,
Bell,
Botts, A. G.
Botts, W. S.
Boyd,
Clarke,
Crawford,
Crockett,
Covington,
Devereux,
Dickerson,
Durbin,
Elliott, J.
Evans,
Gilbert,
Glenn,

Graves,
Hager,
Harrison,
Hay,
Hobbs,
Hoy,
Ireland,
Irvine, D.
Irvine, J.
Mansfield,
Mayhall,
McArthur,
McCallister,
McHenry,
Mitchell,
Moore,
Munford,
Page,

Pearl,
Phillips,
Poor,
Rhea,
Riddle,
Rouse,
Smith,
Soery,
Spalding,
Spurr,
Stevenson,
Talbutt,
Tandy,
Thomas,
Vertress,
Waller,
Wheeler,
Wortham—54.

Those who voted in the negative, were—

Messrs. Alnut,
Board,
Bowman,

Foley,
Haggard,
Hord,

Owens,
Purdom,
Stevens,

Bradford,
Brown,
Bush,
Cobb,
Coleman,
Elliott, M.
English,

Johnston,
Jones, J. R.
Jones, W. L.
Jordan,
Martin,
Morton,
Oglesby,

Stewart,
Wade,
Walker,
Williams,
Wright,
Young—29.

Resolved, That the title thereof be as aforesaid.

Mr. Stevenson, from the same committee, to whom was referred a bill for the relief of James Renfro, of Knox county, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The amendments proposed by the Senate, to a bill from this House, entitled, an act to regulate the time of holding the circuit courts in the 2d and 7th Judicial Districts, and for other purposes, were taken up, twice read, and concurred in.

Mr. Hobbs, from the committee of Conference, on the disagreement between the two Houses on the bill, entitled, an act for the benefit of the town of Portland, made a report, which was concurred in.

Mr. McHenry, from the committee to whom referred a bill to amend the charter of the Louisville Turnpike Road Company, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred a bill to amend an act incorporating the Mount Sterling and Maysville Turnpike Road Company, reported the same without amendment.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, it shall and may be lawful for the President and Directors of said road Company, by an order to be spread upon the record of their proceedings, to appropriate, from time to time, all sums remaining in the hands of the Treasurer of said Company, to the further construction and completion of said road; such construction and extension of said road, to be made at such points in the line of said road, as in the discretion of said President and Directors may seem most available:

Provided, that nothing herein contained, shall be so construed, as exempting said President and Directors from any duty now existing to keep in repair said road, or from appropriating, from time to time, for such purpose, a necessary amount arising from the tolls collected on said road.

Mr. Haggard moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Purdom, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Gilbert,	Morton,
Alexander,	Glenn,	Oglesby,
Alnut,	Graves,	Owens,
Beeler,	Haggard,	Purdom,
Bell,	Hager,	Smith,
Board,	Hanson,	Soery,
Botts, A. G.	Hay,	Spalding,
Bowman,	Johnston,	Stevens,
Bradford,	Jones, J. R.	Thomas,
Clarke,	Jones, W. L.	Vertress,
Cobb,	Jordan,	Wade,
Coleman,	Martin,	Walker,
Crockett,	Mays,	White,
Elliott, J.	McHenry,	Williams,
Elliott, M.	Meriwether,	Wortham,
English,	Moore,	Wright—49.
Foley,		

Those who voted in the negative, were—

Mr. Speaker,	Hobbs,	Procter,
Messrs. Armstrong,	Hord,	Reed,
Botts, W. S.	Hoy,	Rhea,
Brown,	Ireland,	Riddle,
Bush,	Irvine, D.	Rouse,
Crawford,	Irvine, J.	Salter,
Covington,	Mansfield,	Spurr,
Devereux,	McArthur,	Stevenson,
Dickerson,	McCallister,	Stewart,
Durbin,	Mitchell,	Talbutt,
Evans,	Munford,	Tandy,
Fletcher,	Page,	Waller,
Hall,	Phillips,	Wheeler,
Harrison,	Poor,	Young—42.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in this House, entitled, an act to regulate the time of holding the circuit courts in the 2d and 7th Judicial Districts, and for other purposes, and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

The House resumed the consideration of the bill to amend the rules of chancery practice.

Mr. Hanson moved a re-consideration of the vote directing said bill to be read on yesterday, and ordering said bill to be engrossed and read a third time.

And the question being taken thereon, it was decided in the affirmative.

The said bill was then amended, and as amended; reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in all Chancery suits where the process has been executed twenty days before the commencement of the term of the court to which it is returnable, the defendant or defendants shall plead, answer or demur, on or before the calling of the cause, at the term to which the process may be returned executed, and the issue or issues of law or fact shall then be made up; and if either party fail thus to complete the issue or issues, the court shall enter a final decree against the party so failing: *Provided*, that if the complainant be called upon to answer interrogatories contained in an answer of the defendant, the cause shall be continued, unless the complainant voluntarily answers at that term; and in case a suit be thus continued for an answer to interrogatories, the answer shall be filed, within sixty days from the adjournment of the court, in the clerk's office, and the cause shall stand for trial at the next term thereafter. If the issue be made up by bill and answer, whereby depositions are to be taken, the cause shall stand for hearing at the term next after the issue is made up: *Provided, however*, if the defendant or defendants file his, her or their answer or answers in the clerk's office thirty days before the commencement of the the term, and give the opposite party, or his counsel, at least twenty day's notice before the commencement of the term, of the filing of such answer or answers in the clerk's office, and the cause shall stand for trial at such next ensuing term after the filing of the answer in the clerk's office: *Provided, also*, that the court may continue any cause, upon affidavit filed, and good cause shown.

SEC. 2. And when a demurrer to a bill is filed, the court shall try the same at the term at which it is filed; and if overruled, the defendant or defendants shall file his, her or their answer at that term, and on failure to do so, the court shall enter up a decree, taking the bill for confessed, and proceed to make a final decree, unless, for good cause shown, the court may order a continuance.

SEC. 3. The complainant may proceed to take depositions immediately after the execution of the process, to be read against those upon whom process may have been executed. The defendant may proceed to take depositions at any time after the answer may have been filed in court, or in the clerk's office; and no order or leave of court shall be necessary to entitle either party to take depositions, whether of residents or non-residents, or parties to the suit.

SEC. 4. Where any defendant or defendants are unknown heirs, non-residents, or absent from the State, the complainant may file an affidavit, setting forth the fact that such defendant or defendants are unknown heirs, non-residents or absent defendants; and at the term next after the filing of such bill,

the clerk shall enter an order traversing the allegations against the unknown heirs, non-residents or absent defendants; and the court, at the next term, may try the cause, and make a final decree.

SEC. 5. The complainant may amend his bill at any time before an answer is filed, by filing the same in the clerk's office, and giving the adverse party, or his counsel, notice thereof; he may also, after answer, file bills of revivor, or other amended or supplemental bills, bringing new parties before court; an amended bill only bringing new matter, and no necessary new party, before the court, shall not be cause of continuance, if fully answered at the term at which it may be filed; and the party filing an amended bill, or bill of revivor, after answer, shall annex an affidavit, by himself, agent or attorney, to the same, that he or she verily believes the filing of such bill is material to the correct decision of the cause, and that it is not done for delay, and he believes the allegations are true; and when the answer admits the equity of the bill, and sets up no matter in avoidance or bar of it, the court may decree at the term at which the answer is filed.

SEC. 6. In any case depending at law or in Chancery, in any of the courts of this Commonwealth, either party wishing to take the testimony of witnesses absent from the State, shall take the same by interrogatories, the party making oath before the clerk of the court where the cause is depending, or before any Justice of the Peace, of the absence of such witnesses, and that he or she believes their testimony material for them, it shall be the duty of such clerk to issue a commission, directed to any Justice of the Peace, Mayor of a city, or Notary Public, in any State or Territory of the United States, to call the witnesses before him at a time and place by him appointed. But the party applying for such *dedimus* shall file his interrogatories in the clerk's office, and serve the opposite party with a copy thereof, with notice of the day on which such *dedimus* will issue; in which time the opposite party may file cross interrogatories, if any there be, shall accompany such *dedimus*. If the party upon whom notice is to be served be not a resident of this State, the same may be served on his attorney at law or his agent. But if he, she or they have neither agent or attorney residing in this State, the notice filed in the clerk's office, with the papers of the suit, shall be regarded as sufficient service.

SEC. 7. In all cases of injunction or attachment issuing out of Chancery, where the security or securities in any injunction, attachment or delivery bond are shown to the court to be insufficient, a new bond shall be immediately executed, with good security, to be approved of by the court; or the court may, for good cause, give some other day for the execution of said bond; and upon failure to execute said bond, the court shall, without delay, discharge or dissolve said injunction, attachment or restraining order, as the case may be.

SEC. 8. That writs of *fieri facias* may issue upon all sale bonds taken by virtue of any decree of court, in the same manner, and under like regulations and restrictions, as like writs may now issue on sale bonds taken by a sheriff for property sold by him under execution, and with a like endorsement thereon.

SEC. 9. That the provisions in this act shall not apply to the Louisville Chancery Court.

SEC. 10. *Be it further enacted*, That where suits of chancery shall be hereafter brought (or are now pending,) in the circuit courts of this Com-

monwealth, against a non-resident or non-residents, and where it shall be charged in the original, or amended bill or bills, that the facts that are material to enable the complainant or complainants to obtain a decree are known to the defendant or defendants, only, and state how the facts are known to the defendant, or that the complainant or complainants, does not know of any person by whom he, she or they can prove the same facts; and that portion of the bill, or amended bill, shall be sworn to, and if not answered, the same shall be taken as true, and confessed, and decreed on, accordingly.

Mr. Hanson moved the following amendment as a substitute for said bill, viz:

That in all cases in chancery, where process on any original bill, amended bill, or cross bill, shall be served twenty days before the return day, it shall be the duty of the defendant or defendants, to plead, answer or demur to the same, on or before the 3d day after the return day, or the calling of the cause at such term, unless the court, for good cause shown, shall give further time to answer.

When the defendant or defendants shall demur to any bill, amended bill, or cross bill, and the demurrer shall be overruled, an answer shall be filed during the term, unless the court shall, for good cause, give further time to answer.

When any bill, amended bill, or cross bill, shall be filed against any absent defendant or defendants, or unknown heirs, then a traverse shall be entered the first term; and if the bill is not filed twenty days before court, a traverse shall be entered at the second term after the filing of said bill; and it shall not, in any case, be necessary to enter a warning order on the record against absent defendants or unknown heirs.

That in sales of real estate, hereafter made, under decrees in chancery, the defendants shall have the same right to redeem the property sold, that defendants in execution now by law have, subject to the same rules and terms; and the commissioner, making the sale under any decree, shall cause the property sold to be valued in the same manner sheriffs, in making sales under execution are required to do; and the valuation, so made, shall constitute part of the commissioner's report.

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Waller and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Glenn,	Owens,
Alnut,	Graves,	Pearl,
Armstrong,	Haggard,	Phillips,
Beeler,	Hager,	Reed,
Botts, A. G.	Hall,	Riddle,
Botts, W. S.	Hanson,	Spalding,
Bowman,	Harrison,	Spurr,
Boyd,	Hoy,	Stevens,
Bradford,	Ireland,	Stewart,
Bush,	Johnston,	Talbutt,

Clarke,
Cobb,
Coleman,
Desha,
Dickerson,
Durbin,
Evans,

Mansfield,
Martin,
Mayhall,
Mays,
Moore,
Morton,
Oglesby,

Tandy,
Wade,
Walker,
Wheeler,
Williams,
Wortham,
Wright—51.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alexander,
Bell,
Board,
Brown,
Crawford,
Crockett,
Covington,
Devereux,
Elliott, J.
Elliott, M.
English,
Fletcher,
Foley,

Gilbert,
Hay,
Hobbs,
Hord,
Irvine, D.
Irvine, J.
Jones, J. R.
Jordan,
Marshall,
McArthur,
McCallister,
McHenry,
Meriwether,
Mitchell,

Munford,
Page,
Poor,
Procter,
Purdom,
Rhea,
Rouse,
Salter,
Smith,
Soery,
Thomas,
Vertress,
Waller,
Young—42.

Ordered, That said bill, as amended, be referred to Messrs. Waller, Williams, Hanson, Crockett, Armstrong, Mitchell and Evans.

Mr. Alexander asked leave to bring in a bill for the benefit of Thomas A. North, which was granted.

Ordered, That Messrs. Alexander, W. S. Botts, McHenry, Devereux and Vertress prepare and bring in the same.

The House then resolved itself into a committee of the whole on the preamble and resolutions read and laid on the table by Mr. Stevenson in relation to the war with Mexico; Mr. Brown in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Brown reported that the committee had, according to order, had under consideration the preamble and resolutions aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

FRIDAY, FEBRUARY 19, 1847.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to incorporate a company to be called "The Ohio Line."

An act to amend an act, entitled, an act to incorporate the Cumberland Female Academy, and for other purposes, approved 1st February, 1837.

An act for the benefit of Clinton Nash.

An act to incorporate the towns of Pikeville and Paintsville.

An act for the benefit of David and Opie J. Lindsey, Trustees under the will of Thomas Lindsey, deceased.

An act for the benefit of John Cottingham and wife.

An act for the relief of emigrants.

An act for the benefit of Taylor Pember.

An act to change the names of Mary Elizabeth McFall and others.

An act authorizing the sale of the Upper White Oak Church, in Bath county.

An act for the benefit of A. P. Churchill, and others.

An act to regulate the appointment of Trustees for the Knox County Seminary, and for other purposes.

An act to establish the town of Cornishville.

An act for the benefit of Elizabeth Shoemaker.

An act to amend an act, entitled, an act to incorporate the town of Independence.

An act to change the names of Thomas and Jane Holder, John and Lucy M. Bradley, John S. Cocks, Polly Bowls, Rebecca A. Chevalier, and her children.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act declaring "The Plough Boy," a paper published in the town of Richmond, a public authorized newspaper of this State.

An act to authorize the Trustees of the town of Crab Orchard to erect a jail in said town.

An act to divorce Independent Gist, and Elizabeth Porcher Gist.

An act to amend an act, entitled, an act for the benefit of Joseph, S. N. and James M. Dicken, approved February 17, 1846.

An act to amend the several acts regulating civil proceeding in this Commonwealth.

An act for the benefit of Richard Fisher, and his securities.

An act to amend an act, entitled, an act to establish the Mechanics' Institute, and Savings Institution of the city of Lexington, approved February 20, 1840.

An act to amend the charter of the city of Lexington.

An act legalizing the official acts of Jackson Combs, surveyor of Perry county.

An act for the benefit of M. M. Wall, of Logan county.

An act concerning the town of Lafayette, in Christian county.

An act to establish a town on the lands of George Bowling, in Breathitt county.

An act allowing an additional Justice of the Peace to Breckinridge county.

An act for the benefit of Hall Anderson.

An act to amend an act, entitled, an act for the benefit of Louisa M. Coleman, and Charles H. Kenner, and Marcus M. Kenner, approved January 29, 1846.

An act authorizing the Trustees of McKendree Chapel to sell the same.

1. Mr. Spurr presented the petition of sundry citizens of the city of Lexington, praying the passage of a law allowing the voters of said city to say by vote whether coffee houses, &c., shall be licensed by the city council or not.

2. Mr. Poor presented the petition of M. M. Wall, praying that he be permitted to import into this State a slave.

Which were received, the reading thereof dispensed with, and referred to the committee on the Judiciary.

A message was received from the Senate announcing that they had passed bills of the following titles, viz:

An act to change the time of holding the spring courts in Pike and Floyd, and to change the time of holding the Lawrence and Morgan county courts.

An act to change the time of holding the Clay circuit court.

A message was received from the Governor, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of the Baptist Church, and Church of Christ, in Simpsonville.

Approved February 11, 1847

An act for the benefit of Joseph C. Linn.

An act authorizing John Woodburn to import a slave into this Commonwealth.

An act for the benefit of Elizabeth Bowren and her children.

An act for the benefit of Winston Mayo, clerk of the Johnson circuit court, and for other purposes.

An act to reduce the number of Justices of the Peace of Anderson county.

An act for the benefit of George W. Jones and others.

An act to incorporate the First Universalist Society of Louisville.

An act for the benefit of D. J. Dodge.

An act to amend an act, entitled, an act to establish a Library Association at Louisville, approved February 5, 1842.

An act to extend the constable's district including Williamstown, in Grant county, and the district of Robert C. Sweeney, a constable of Russell county.

An act to amend the charter of the city of Louisville, and for other purposes.

An act to change the name of Pinchico to that of Rogersville, and for other purposes.

An act to allow an additional Justice of the Peace to the county of Casey.

An act for the benefit of John William Holtzclaw.

An act to change the State road from Hopkinsville to Gray's ferry.

An act to change the names of Noah Sowders, William M. DeCoursey, David S. Lusk and Sally Muncy.

An act directing special terms of the circuit courts of Bath, Estill and Lewis counties.

Approved February 13, 1847.

Mr. Alnut, from the committee appointed to prepare and bring in the same, reported a bill to incorporate the Union Seminary in Owen county.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Brown moved the following resolution, viz:

Resolved, That the use of this Hall be granted to Mr. and Mrs. Saxton, for a grand concert of vocal and instrumental music on Tuesday night next. Which was adopted.

Mr. Tandy moved to take up from the table the bill allowing flat boats and other water crafts, laden with the products of Carroll county, to pass over the Dam at Lock No. 1, on the Kentucky river, free of toll, in time of high water.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Riddle, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Harrison,	Pearl,
Messrs. Alnut,	Hobbs,	Poor,
Armstrong,	Hord,	Procter,
Beeler,	Hoy,	Rhea,
Board,	Ireland,	Rouse,
Botts, A. G.	Irvine, J.	Salter,
Botts, W. S.	Johnston,	Spurr,
Boyd,	Jones, W. L.	Stevenson,
Bush,	Jordan,	Stewart,
Clarke,	Mansfield,	Talbutt,
Covington,	Marshall,	Tandy,
Desha,	Mayhall,	Thomas,
Devereux,	Mays,	Thompson,
Dickerson,	McArthur,	Towles,
English,	McCallister,	Vertress,
Evans,	McHenry,	Walker,
Fletcher,	Meriwether,	Waller,
Foley,	Mitchell,	White,
Gilbert,	Moore,	Williams,
Graves,	Munford,	Wortham,
Hager,	Oglesby,	Wright—65.
Hanson,	Page,	

Those who voted in the negative, were—

Messrs. Abell,	Durbin,	Owens,
Alexander,	Elliott, M.	Riddle,
Bell,	Glenn,	Smith,
Bowman,	Haggard,	Soery,
Bowmar,	Hall,	Spalding,
Bradford,	Hay,	Stevens,
Coleman,	Martin,	Wade,
Crockett,	Morton,	Wheeler—24.

Resolved, That the title thereof be as aforesaid.

Mr. Stevenson, from the committee on Internal Improvement, reported a bill authorizing the construction of a bridge over the Little Sandy river, in Greenup county, which was read the first time as follows, viz:

WHEREAS, it is represented to the General Assembly of the Commonwealth of Kentucky, that the erection of a bridge over Little Sandy river, at or near its mouth, would conduce greatly to the public convenience and advantage: and, therefore,

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of tucky*, That for the purpose of erecting said bridge across Little Sandy river, at or near its mouth, it shall and may be lawful to raise, by voluntary subscription, a joint fund of twenty-five hundred dollars, and for this purpose.

SEC. 2. *Be it further enacted,* That subscriptions towards constituting the bridge fund, shall be opened by books at Greenupsburg, and at such other places as they may choose, under the direction of Moses McKoy, Nathaniel Morton, Benjamin F. King, Hezekiah Morton, Williams Biggs, Clement H. Waring, James Bryan, William Bryson, Basil Waring, John Waring, John Pratt, Samuel Seaton, James H. Waring, Darius B. Reed, Cyrus Vanbibber, Charles M. Wilson, John C. Kouns, Charles Kingsbury, Jeremiah Davidson, Jesse Corum, John F. Day, Allen Myers, Benjamin Smith, and Denpotee Valodine, or by any one, or either of them.

SEC. 3. That when two thousand five hundred dollars have been raised by subscription, and by appropriation by the county court of Greenup, the said Moses McKoy and others, or any of them, shall call a meeting of said commissioners, who are appointed by this act to receive subscriptions, at Greenupsburg, at which meeting, a majority of the commissioners being present, they shall choose a Board of five Directors, and transact any other business appertaining to the erection of said bridge which may be lawful.

SEC. 4. The said Board of Directors shall have power to fill any vacancy or vacancies which may occur, and may also add thereto any number of Directors not exceeding four; and it shall be the duty of said Board to superintend the erection of said bridge according to the provisions of this act.

SEC. 5. That a meeting of the Board of Directors may be called at any time by a majority thereof, for the transaction of any business pertaining to said bridge or its superintendence; and all questions voted upon by said Directors shall be decided by a majority of those voting, provided a majority of the Board be present, without which no act of the Board shall be valid; and said Board may adopt any by-laws which may not be inconsistent with the laws and constitution of this State, and which they may deem necessary; and appoint all officers needful for the end in view.

SEC. 6. That the county court clerk of Greenup county shall, at any term of said court succeeding the election of said Directors, in open court, a majority of all the Justices of said county being present, upon the order of said court, take bond from said Directors, with approved security, in the penalty of ten thousand dollars, payable to the Commonwealth of Kentucky, conditioned to carry into effect, according to its spirit and meaning, the provisions of this act; on which bond, if there should be a breach of any one or more of its conditions, the attorney for the Commonwealth for the circuit court of Greenup county shall bring a suit or suits, for the recovery of any damages which the Commonwealth may have sustained by reason of any allowance which directly or indirectly it makes for the erection of said bridge, and the measure of damages shall be equal to at least any amount of surplus revenue which said Board of Directors, or their successors, shall receive for the purposes aforesaid; which recoveries of money shall be collected as other judgments in actions of debt are collected, and this shall be the appropriate remedy on said bond; and the same when collected shall be paid by the sheriff, as other fines and penalties, to the proper officer of the Commonwealth.

SEC. 7. That after the subscription and appropriation of two thousand five hundred dollars, and the execution of said bond as aforesaid, the county court of Greenup, a majority of all the Justices thereof being present, may make an order at the November or April term thereof in every year, beginning on the 1st Monday in November, 1847, or 1848, for five years, direct-

ing the sheriff of said county, and the clerk of the circuit and county courts thereof, to retain any surplus in their hands, of any money or revenue which would be due the Commonwealth but for this act, after paying over to the treasurer whatever may be due said Commonwealth, as the total expenditures of said county for each and every of the five years; which amount shall be ascertained by a certificate thereof to said clerk and sheriff, to be made out by the Auditor of Public Accounts by the 20th of December in every year; which surplus or net revenue, if any, the county court shall direct them, or either of them, to pay over to said Board of Directors, to be applied as the said two thousand five hundred dollars, to the erection of said bridge; and they shall be liable to said Board of Directors, by motion in the county court, in the same manner that they are liable to others, creditors or claimants, under orders of the county court.

SEC. 8. That said Directors are hereby empowered and authorized to erect and build, or cause to be erected and built over Little Sandy river, at or near its mouth, a good and sufficient bridge, adequate to the passage of travellers, carriages, horses and cattle: *Provided*, there shall be only one pier to said bridge, and which shall be in or near the middle of the river, with two good and substantial abutments; the bridge to be fifteen feet wide at least, and eight feet above high water mark, excepting high water mark in 1832.

SEC. 9. That said Directors shall, by their bond aforesaid, among other things, obligate themselves to cause said subscription money and appropriation of the county court, and said surplus, or net revenue, to be expended judiciously in the erection of said bridge, and make good the said subscription out of their private funds.

SEC. 10. That if any person shall be guilty of setting fire to, or burning said bridge, he shall be deemed guilty of arson, and be subject, upon conviction thereof, to all the fines and penalties now denounced by law against persons guilty of arson under the laws of this Commonwealth; and for any injury maliciously done by any one thereto, he or she shall be deemed guilty of a high misdemeanor, and be liable to punishment by indictment of a grand jury, in any sum not exceeding five thousand dollars, nor less than twenty dollars, and to imprisonment in the county jail for any time not less than ten days, nor more than six months, except said injury be done by burning, and then the fine shall be as above prescribed, and the imprisonment by confinement in the Penitentiary of this Commonwealth.

SEC. 11. That said bridge shall be kept in repair, so far as ordinary repairs are necessary, by appropriations out of the county levy, and for failure to do so for three months, the Justices of the county court shall be liable to fine, not exceeding five hundred dollars, nor less than twenty five dollars, recoverable by indictment and payable to the Commonwealth as other fines are now payable by law; and that said bridge shall be free of toll to all the world; said necessary repairs shall be intended to extend not only to the diligent preservation of the stone work of said bridge, but to the entire wood work thereof; and if even the whole of the wood work should be destroyed or removed, the county court of said county shall be, and is required, to restore or repair the same, so as to make said bridge passable for travellers, &c.; and at the time of the execution of said bond, by the Directors, the county court shall, if they accept this act, make an order to that effect, and then said court shall be bound thereby, and shall be required to carry the same into operation, under the penalties aforesaid; for any viola-

tion of this act, and the measure of fine against them shall be according to the injury to the bridge by means of their neglect.

SEC. 12. That said subscription money shall be made payable to the Directors, who may be appointed under this act, and may be recovered by action of debt in their names, or in the names of their survivors; in any court having competent jurisdiction.

SEC. 13. That the said Directors are empowered and authorized to buy, with their own private funds, any quantity of ground on either bank of said river, necessary to the erection of said bridge, and for roads leading, or to lead thereto, not exceeding one acre on each side, and receive conveyances of title thereto, in perpetuity to said Directors for the use of the bridge.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Haggard moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. M. Elliott and Bowman, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Gilbert,	Pearl,
Alnut,	Glenn,	Poor,
Bell,	Graves,	Purdom,
Board,	Haggard,	Smith,
Botts, A. G.	Hay,	Soery,
Bowman,	Hobbs,	Spalding,
Bowmar,	Johnston,	Stevens,
Boyd,	Jones, J. R.	Thomas,
Bush,	Mays,	Thompson,
Clarke,	McCallister,	Waller,
Coleman,	McHenry,	Williams,
Crockett,	Mitchell,	Wright,
Devereux,	Morton,	Young—41.
Elliott, M.	Owens,	

Those who voted in the negative, were—

Mr. Speaker,	Hager,	Page,
Messrs. Abell,	Hall,	Phillips,
Armstrong,	Hanson,	Procter
Beeler,	Hoy,	Rhea,
Botts, W. S.	Ireland,	Riddle,
Bradford,	Irvine, D.	Rouse,
Brown,	Irvine, J.	Salter,
Cobb,	Jones, W. L.	Spurr,
Crawford,	Jordan,	Stevenson,
Covington,	Mansfield,	Stewart,
Desha,	Marshall,	Talbutt,
Dickerson,	Martin,	Tandy,
Durbin,	McArthur,	Vertress,
Elliott, J.	Meriwether,	Walker,

English,
Evans,
Fletcher,
Foley,

Moore,
Munford,
Oglesby,

Wheeler,
White,
Wortham—52.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the negative, and so the said bill was rejected.

A bill from the Senate, entitled, an act for the benefit of James Jackman, was read the first time as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the marriage relation existing between James Jackman, and Ann Jackman, late Ann Timberlake, be and the same hereby is dissolved, and the said James Jackman is hereby restored to all the rights of an unmarried man: *Provided, however*, that before this act takes effect, the said James Jackman shall appear in the circuit court for Russell county, at its next, or any subsequent term, and execute bond, with one or more sufficient securities, to be approved by said court, in the penalty two of thousand dollars, payable to the Commonwealth, conditioned for the comfortable support and maintenance of said Ann Jackman during her natural life, in such manner as said court may, from time to time order or direct, taking into consideration the peculiar condition of said Ann, and the value of said James Jackman's estate. And upon the execution of such bond, this act is to be in full force and effect.

SEC. 2. The said circuit court shall have full power and authority to require said Jackman to renew his said bond, from time to time, and give additional surety or sureties; and upon failure of said James Jackman to comply with the conditions of said bond, and the orders of court which may be made from time to time, said court shall have all the powers which a court of chancery possess to enforce obedience thereto.

SEC. 3. *Be it further enacted*, That in the event said Ann Jackman survives said James Jackman, she shall be entitled to a dower in his estate as though this act had not been passed.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

The question was then taken on the passage of said bill, and decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. McHenry and Armstrong, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
Board,
Cobb,
Dickerson,
Elliott, J.
Elliott, M.
Fletcher,
Glenn,

Ireland,
Johnston,
Mansfield,
Marshall,
Martin,
Mayhall,
McArthur,
McCallister,
Moore,

Smith,
Soery,
Spalding,
Spurr,
Stewart,
Tandy,
Towles,
Vertrees,
Waller,

Graves,
Haggard,
Hager,
Hanson,
Harrison,
Hoy,

Oglesby,
Owens,
Pearl,
Poor,
Salter,

Wheeler,
Williams.
Wortham,
Wright,
Young—43.

Those who voted in the negative, were—

Messrs. Alexander,
Armstrong,
Beeler,
Bell,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Bradford,
Brown,
Bush,
Clarke,
Coleman,
Crawford,
Crockett,
Covington,

Desha,
Devereux,
Durbin,
English,
Foley,
Gilbert,
Hall,
Hay,
Hord,
Irvine, D.
Irvine, J.
Jones, J. R.
Jones, W. L.
Jordan,
McHenry,
Meriwether,

Mitchell,
Munford,
Page,
Phillips,
Procter,
Reed,
Riddle,
Rouse,
Stevens,
Stevenson,
Talbutt,
Thomas,
Thompson,
Wade,
White—47.

Mr. Waller, from the committee to whom was referred the bill to amend the rules of chancery practice, reported the same with an amendment as a substitute for said bill, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of the bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Armstrong and Scery, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
Alexander,
Alnut,
Beeler,
Bell,
Botts, W. S.
Bowmar,
Boyd,
Bradford,
Brown,
Bush,
Crawford,

Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Hord,
Hoy,
Irvine, D.
Johnston,
Jones, J. R.
Jones, W. L.
Marshall,
Martin,

Phillips,
Poor,
Purdum,
Reed,
Rhea,
Rouse,
Smith,
Spurr,
Stevenson,
Stewart,
Talbutt,
Tandy,
Thomas,

Crockett,
Covington,
Devereux,
Dickerson,
Elliott, M.
Evans,
Foley,
Gilbert,
Graves,

McArthur,
McCallister,
McHenry,
Meriwether,
Mitchell,
Morton,
Munford,
Page,
Pearl,

Thompson,
Towles,
Vertress,
Wade,
Waller,
Wheeler,
Williams,
Wortham,
Young—66.

Those who voted in the negative, were—

Messrs. Armstrong,
Botts, A. G.
Bowman,
Clarke,
Cobb,
Coleman,
Desha,
Elliott, J.
English,

Fletcher,
Glenn,
Haggard,
Hager,
Ireland,
Irvine, J.
Jordan,
Mansfield,

Mays,
Owens,
Riddle,
Soery,
Spalding,
Stevens,
Walker,
Wright—25.

Resolved, That the title thereof be as aforesaid.

The House again resolved itself into a committee of the whole on the preamble and resolutions read and laid on the table by Mr. Stevenson, in relation to the Mexican war: Mr. Brown in the Chair; and after some time spent therein the Speaker resumed the Chair, when Mr. Brown reported that the committee had, according to order, had under consideration the preamble and resolutions aforesaid, and had adopted an amendment as a substitute for the same, which he handed in at the Clerk's table.

The said preamble and resolutions, as amended, read as follows, viz :

WHEREAS, our country is engaged in a war with Mexico, after years of forbearance on our part, in the midst of repeated and long continued insults and injuries, perpetrated by Mexico upon our commerce and our citizens; and, whereas, her troops did on the 8th day of May last attack the American army on soil claimed by the State of Texas; and, whereas, the Congress of the United States did on the — day of May last recognize the existence of the war between Mexico and the United States: therefore,

1. *Resolved*, That the General Assembly of the Commonwealth of Kentucky deem it the duty of our Government to prosecute the existing Mexican war with all that vigor and energy which is demanded alike by the interest and honor of our country.

2. *Resolved*, That whilst we regard peace as desirable, and war a calamity to any people, nevertheless, we hold our Government bound to prosecute the present war until we obtain indemnity for the past, and security for the future, from the faithless Government of Mexico; and we deem it the duty of Congress to vote all necessary appropriations for that purpose.

3. *Resolved*, That we consider the agitation of the question of slavery, in connection with that of the war, as wrong in principle, and as tending to produce bitter and unnecessary excitement.

4. *Resolved*, That we consider the principle adopted in the Missouri compromise as a safe guide in the disposal of any question of this kind which may hereafter occur.

5. *Resolved*, That we consider, at the time of the commencement of hostilities by Mexico against this Government, we had just cause of war against that Government, for repeated violations of her solemn treaties and stipulations with the United States.

6. *Resolved*, That the Governor of this Commonwealth be requested to forward a copy of this preamble and resolutions to each of our Senators and Representatives in the Congress of the United States.

The amendment proposed by the committee of the whole, as a substitute for said preamble and resolutions, are as follows, viz:

WHEREAS, a war exists between the United States and Mexico: therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That it is the imperious duty of the President of the United States to use all possible means in his power, that are honorable and fair, to terminate and bring said war to a speedy close, and to make peace; doing no act in the adjustment of the matter that will in the least compromise the honor and character of the United States.

2. *Resolved, further*, Whilst said war continues, it is the duty of Congress to afford and vote for a sufficient number of men and an ample supply of means and money, to prosecute said war with energy and vigor.

3. *Resolved, further*, That the Governor be requested to forward to the President of the United States, and to each of our Senators and Representatives in Congress, a copy of the foregoing preamble and resolutions.

Mr. Williams moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by the committee of the whole, as a substitute, be adopted? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Meriwether and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hall,	Poor,
Messrs. Alexander,	Hanson,	Procter,
Beeler,	Harrison,	Reed,
Botts, A. G.	Hay,	Rhea,
Botts, W. S.	Hobbs,	Salter,
Bowman,	Hoy,	Smith,
Bowmar,	Irvine, D.	Soery,
Boyd,	Jones, W. L.	Spurr,
Bradford,	Jordan,	Stewart,
Brown,	Martin,	Talbutt,
Bush,	Mayhall,	Tandy,
Cobb,	McCallister,	Thomas,
Crawford,	McHenry,	Vertress,

Covington,
Devereux,
Evans,
Foley,
Gilbert,
Haggard,

Mitchell,
Munford,
Owens,
Page,
Pearl,
Phillips,

Waller,
White,
Williams,
Wortham,
Young—56.

Those who voted in the negative, were—

Messrs. Abell,
Alnut,
Armstrong,
Bell,
Board,
Clarke,
Coleman,
Desha,
Dickerson,
Durbin,
Elliott, J.
Elliott, M.
English,

Fletcher,
Glenn,
Graves,
Hager,
Ireland,
Johnston,
Jones, J. R.
Mansfield,
Marshall,
Mays,
McArthur,
Meriwether,
Moore,

Morton,
Purdom,
Riddle,
Rouse,
Spalding,
Stevens,
Stevenson,
Towles,
Wade,
Walker,
Wheeler,
Wright—38.

The question was then taken on the adoption of the preamble and resolutions, as amended, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hobbs and Smith, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alexander,
Alnut,
Armstrong,
Beeler,
Bell,
Board,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Bush,
Clarke,
Cobb,
Coleman,
Crawford,
Covington,
Desha,
Devereux,
Dickerson,

Gilbert,
Glenn,
Graves,
Haggard,
Hager,
Hall,
Hanson,
Harrison,
Hay,
Hobbs,
Hoy,
Ireland,
Irvine, D.
Johnston,
Jones, J. R.
Jones, W. L.
Jordan,
Mansfield,
Martin,
Mayhall,
Mays,
McArthur,
McCallister,

Pearl,
Phillips,
Poor,
Procter,
Purdom,
Reed,
Rhea,
Riddle,
Rouse,
Salter,
Smith,
Soery,
Spalding,
Spurr,
Stevens,
Stevenson,
Stewart,
Talbutt,
Tandy,
Thomas,
Vertress,
Wade,
Walker,

Durbin,
Elliott, J.
Elliott, M.
English,
Evans,
Fletcher,
Foley,

McHenry,
Meriwether,
Mitchell,
Moore,
Munford,
Owens,
Page,

Waller,
Wheeler,
White,
Williams,
Wortham,
Young—89.

Those who voted in the negative, were—

Messrs. Abell,

Marshall,

Morton—3.

Ordered, That the amendments proposed by the Senate, to the resolutions from this House, for presenting the widow of the late Philip Norbourn Barbour with a sword, and for the interment of his remains in the Frankfort Cemetery, be referred to the committee on Military Affairs.

The amendments proposed by the Senate, to bills from this House of the following titles, viz:

An act for the benefit of the sheriff of Union county.

An act to change the names of Thomas and Jane Holder, John and Lucy M. Bradley, John S. Cocks, Polly Bows, and Rebecca A. Chevalier, and her children.

Were taken up, twice read and concurred in.

Bills from the Senate, of the following titles, viz:

1. An act for the benefit of William Rowlett, of Owen county.
2. An act declaring a forfeiture of the charter of the Licking River Navigation Company.
3. An act for the benefit of Harriet and Anderson R. Murray.
4. An act to run and establish the line between the counties of Livingston and Caldwell.
5. An act for the benefit of the sheriff of Mercer county.
6. An act to change the name of the Mechanics' Savings Institution of Louisville.
7. An act to regulate the clerk's and trustee's fees for services rendered under the jury laws.
8. An act for the benefit of John Green, former sheriff of Henderson county.
9. An act for the benefit of the clerk of the Hickman county court.
10. An act to amend the charter of the town of Harrodsburg.
11. An act declaring "The Plough Boy," a paper published in the town of Richmond, a public authorized newspaper of this State.
12. An act to authorize the Trustees of the town of Crab Orchard to erect a jail in said town.
13. An act to divorce Independent Gist, and Elizabeth Porcher Gist.
14. An act to amend an act, entitled, an act for the benefit of Joseph S. N. and James M. Dicken, approved February 17, 1846.

15. An act to amend the several acts regulating civil proceeding in this Commonwealth.

16. An act for the benefit of Richard Fisher, and his securities.

17. An act to amend an act, entitled, an act to establish the Mechanics' Institute, and Savings Institution of the city of Lexington, approved February 20, 1840.

18. An act to amend the charter of the city of Lexington.

19. An act legalizing the official acts of Jackson Combs, surveyor of Perry county.

20. An act for the benefit of M. M. Wall, of Logan county.

21. An act concerning the town of Lafayette, in Christian county.

22. An act to establish a town on the lands of George Bowling, of Breathitt county.

23. An act allowing an additional Justice of the Peace to Breckinridge county.

24. An act for the benefit of Hall Anderson.

25. An act to amend an act, entitled, an act for the benefit of Louisa M. Coleman, and Charles H. Kenner, and Marcus M. Kenner, approved January 29, 1846.

26. An act authorizing the Trustees of McKendree Chapel to sell the same.

27. An act to change the time of holding the Clay circuit court.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st was referred to the committee on Internal Improvement; the 2d, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 17th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th and 27th were severally ordered to be engrossed and read a third time; the 7th, 14th, 15th and 16th were referred to the committee on the Judiciary; the 3d and 13th to the committee on Religion, and the 18th to the committee on the Sinking Fund.

The rule of the House, constitutional provision and third reading of the 2d, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 17th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th and 27th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act to change the time of holding the spring courts in Pike and Floyd, and to change the time of holding the Lawrence and Morgan county courts.

Was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with.

Resolved, That said bill do pass, and that the title be amended by adding, "and for other purposes."

Mr. Williams, from the committee on Federal Relations, made the following report, viz:

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to a committee of the whole for Wednesday next, and that the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Meriwether, from the committee on Propositions and Grievances, reported a bill to establish Taylor county.

Which was read the first time.

The question was then put on reading said bill a second time, and after some discussion thereon,

The House adjourned.

SATURDAY, FEBRUARY 20, 1847.

A message was received from the Senate announcing their disagreement to a bill from this House, entitled, an act to revive and amend the Shepherdsville and Louisville Turnpike Company.

That they had passed bills from this House of the following titles, viz:

An act for the benefit of Henry G. Mitchell, of Warren county.

An act to divorce Cyrus Pharis from his wife, Mary Pharis.

An act for the divorce of Louisa Hagin.

An act for the benefit of the Baptist Church, at Fish Pools, in Jefferson county.

An act to amend the charter of the Louisville Turnpike Road Company.

An act to authorize the county court of Grayson to change the State roads in said county.

An act for the benefit of Thomas May and George B. Adams.

That they had concurred in the preamble and resolutions from this House, complimentary to General Taylor and the officers and soldiers under his command.

That they had concurred in the amendment proposed by this House, to a resolution from the Senate, fixing a day for the final adjournment of the General Assembly.

That they had passed bills of the following titles, viz:

An act in relation to selling spirituous liquors to slaves.

An act for the benefit of Phoebe T. Wilkerson.

An act to divorce Tamsey Chadwell.

An act to amend the several acts in relation to the Lexington, Nicholasville, Danville and Lancaster Turnpike Road Company.

An act for the benefit of Jane S. Stewart, William J. Walker and his wife, Susan B. Walker, and the infant heirs of Daniel Stewart, deceased.

Mr. Riddle presented the petition of Allen Baker, praying the passage of a law ratifying and making valid a survey of land.

Mr. Meriwether presented the petition of the citizens of Jeffersontown, praying the repeal of all laws authorizing the retail of spirituous liquors in said town.

Which were received, the reading thereof dispensed with, and referred; the 1st to the committee on the Judiciary, and the 2d to the committee on Ways and Means.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Evans—1. A bill to regulate the sale of ardent spirits in Greenup county.

On the motion of Mr. Hanson—2. A bill to establish a chancery term of the Bourbon circuit court.

On the motion of Mr. Rouse—3. A bill to amend the law relative to ferries on the Ohio river.

On the motion of Mr. Vertress—4. A bill to incorporate Elizabethtown.

On the motion of Mr. White—5. A bill appointing commissioners on the Goose Creek Salt Works Road.

On the motion of Mr. Pearl—6. A bill to protect landholders in the counties of Rockcastle and Laurel.

Ordered, That the committee on the Sinking Fund prepare and bring in the 1st; Messrs. Hanson, Hobbs and W. S. Botts the 2d; the committee on the Judiciary the 3d; Messrs. Vertress, Mitchell and Alexander the 4th; Messrs. White, Cobb and Pearl the 5th, and Messrs. Pearl, Cobb, Foley and Hay the 6th.

Mr. Smith, from the committee appointed to prepare and bring in the same, reported a bill providing for the payment of jurors in the country, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all jurors empannelled and sworn, except in the circuit court, in any case of trespass, trespass on the case, forcible entry and detainer, or either, on every trial of the right of property, and in every case in which the Commonwealth is a party by a relator, (who is not an officer,) there shall be allowed fifty cents each, to be paid by the unsuccessful party, and for which allowance, the presidial officer, at any such trial, shall issue a certificate against said unsuccessful party, collectable as witnesses certificates of allowance are collectable by law.

Mr. McHenry moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Evans, were as follows, viz :

Those who voted in the affirmative, were—

Mr. Speaker,	Hay,	Phillips,
Messrs. Armstrong,	Hobbs,	Poor,
Beeler,	Hord,	Purdom,
Bell,	Hoy,	Salter,
Botts, A. G.	Irvine, D.	Soery,
Botts, W. S.	Irvine, J.	Spalding,
Bowman,	Johnston,	Spurr,
Boyd,	Jones, W. L.	Steele,
Bradford,	Jordan,	Tandy,
Cobb,	McCallister,	Thompson,
Coleman,	McHenry,	Towles,
Covington,	Meriwether,	Vertrees,
Elliott, J.	Mitchell,	Williams,
Foley,	Morton,	Wortham,
Gilbert,	Owens,	Wright,
Graves,	Page,	Young—49.
Hanson,		

Those who voted in the negative, were—

Messrs. Abell,	Fletcher,	Pearl,
Alnut,	Glenn,	Procter,
Board,	Hager,	Rhea,
Bowmar,	Hall,	Riddle,
Brown,	Harrison,	Rouse,
Clarke,	Ireland,	Smith,
Crawford,	Jones, J. R.	Stevens,
Desha,	Mansfield,	Stewart,
Dickerson,	Martin,	Talbutt,
Durbin,	Mayhall,	Thomas,
Elliott, M.	McArthur,	Walker,
English,	Moore,	Wheeler—37.
Evans,		

The House resumed the consideration of the bill to establish Taylor county.

Ordered, That said bill be read a second time.

Mr. Desha, from the committee on Military Affairs, to whom was referred the petition of E. H. Field and L. M. Hurst, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred the petition of J. C. Alberti, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to incorporate the Cynthiana and Millersburg Turnpike Road Company, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time, as amended.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Stevenson, from the same committee, to whom was referred a bill from the Senate, entitled, an act to revive and continue in force an act, entitled, an act to amend an act, entitled, an act for the benefit of the owners of mills and other property injured by slack water, approved 10th February, 1845.

Reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Stevenson, from the same committee, reported a bill to appropriate money to keep open and improve the navigation of the Rolling Fork of Salt River.

Which was read the first time.

On motion of Mr. Smith,

Ordered, That said bill be laid on the table.

Mr. Waller, from the committee on Education, to whom was referred bills from the Senate, of the following titles, viz:

An act to incorporate the Kentucky Female Orphan School.

An act to authorize the Trustees of the New Athens Seminary, in Greensburg, to convey the same to the Trustees of said town.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Desha, from the committee on Military Affairs, to whom was referred bills from the Senate, of the following titles, viz:

An act to incorporate the faculty of the Western Military Institute.

An act for the benefit of Samuel D. McCullough and his securities.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Armstrong—1. A bill to incorporate the Synephebian Society of Masonic College, Lagrange, Kentucky.

By the committee on Military Affairs—2. A bill for the benefit of James O'Hara, Jr., deputy sheriff of Grant county.

By same—3. A bill for the benefit of Oscar Pepper.

By the committee on Education—4. A bill for the benefit of the Kentucky Institution for the Education of the Blind.

By same—5. A bill to incorporate the Germantown Circulating Library Company.

By same—6. A bill to incorporate the Paintsville Library Society.

By same—7. A bill to incorporate the Trustees of the Nelson county Library Company, and for other purposes.

By same—8. A bill for the benefit of certain common schools in this Commonwealth.

By the committee on Internal Improvement—9. A bill for the benefit of Robert Williams.

By same—10. A bill legalizing the organization and first election of officers by the Bank Lick Turnpike Road Company.

By same—11. A bill to amend an act incorporating certain turnpike road companies, approved January 29, 1829.

By the committee on Education—12. A bill for the benefit of the common schools of Cumberland county.

By same—13. A bill authorizing the county court of McCracken to sell the Seminary lands belonging to said county.

By the committee on Military Affairs—14. A bill for the benefit of the Jessamine Cavalry.

By same—15. A bill for the benefit of the Lexington Rifles.

By same—16. A bill for the benefit of the Maysville Guards.

By Mr. Hanson—17. A bill for the benefit of A. J. Devine, deputy sheriff of Bourbon county.

By Mr. Waller—18. A bill for the benefit of John M. Morton.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 15th, 16th, 17th and 18th were severally ordered to be engrossed and read a third time, and the 11th was referred to Messrs. Waller, W. S. Botts, Wright, Procter, Phillips and Hord.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 15th, 16th, 17th and 18th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Desha, from the committee on Military Affairs, to whom was referred the amendments proposed by the Senate, to resolutions from this House, for presenting the widow of the late Philip Norbourne Barbour a sword, and for the interment of his remains in the Frankfort Cemetery, reported the same without amendment.

And, after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

Ordered, That Mr. Stevenson inform the Senate that this House is now ready to proceed to execute the joint order of both Houses, in the election of Public Officers.

A message was received from the Senate, by Mr. Peyton, announcing that they also were ready to proceed in said election.

Mr. McHenry nominated Mr. James Davidson as a proper person to fill the office of Treasurer; and, after interchanging nominations, the House took the vote, when Mr. Davidson received the unanimous vote of this House.

Messrs. McHenry, Stevenson and Waller were appointed a committee on the part of this House, to act in conjunction with the committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. McHenry, from said committee, reported that Mr. James Davidson had received the unanimous vote of both Houses.

Whereupon, he was declared duly elected Treasurer of this Commonwealth for the ensuing year.

The House then proceeded to the election of Public Printer.

Mr. Harrison nominated Mr. A. G. Hodges; Mr. Mayhall nominated Mr. George H. Monsarrat, and Mr. Stevenson nominated Mr. John M. Helms, and after interchanging nominations, this House proceeded to take the vote, which stood thus:

Those who voted for Mr. Hodges, were—

Mr. Speaker,	Harrison,	Rhea,
Messrs. Alexander,	Hay,	Salter,
Botts, A. G.	Hobbs,	Smith,
Botts, W. S.	Hord,	Spurr,
Bowman,	Hoy,	Steele,
Brown,	Irvine, D.	Stewart,
Bush,	Jones, W. L.	Talbutt,
Cobb,	McCallister,	Tandy,
Covington,	McHenry,	Thomas,
Devereux,	Mitchell,	Thompson,
Evans,	Munford,	Vertress,
Foley,	Pearl,	Waller,
Gilbert,	Phillips,	White,
Haggard,	Procter,	Wortham,
Hall,	Reed,	Young—46.
Hanson,		

Those who voted for Mr. Monsarrat, were—

Messrs. Beeler,	Glenn,	Owens,
Bowmar,	Irvine, J.	Page,
Bradford,	Jordan,	Poor,
Crawford,	Martin,	Soery,
Durbin,	Mayhall,	Williams—15.

Those who voted for Mr. Helms, were—

Messrs. Abell,	Fletcher,	Morton,
Alnut,	Graves,	Oglesby,
Armstrong,	Hager,	Riddle,
Bell,	Ireland,	Rouse,
Board,	Johnston,	Spalding,
Clarke,	Jones, J. R.	Stevens,
Coleman,	Mansfield,	Stevenson,
Desha,	Marshall,	Towles,
Dickerson,	Mays,	Wade,
Elliott, J.	McArthur,	Walker,
Elliott, M.	Meriwether,	Wheeler,
English,	Moore,	Wright—36.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. McHenry, from said committee, reported that the joint vote stood thus:

For Albert G. Hodges,	-	-	-	-	-	73
For G. H. Monsarrat,	-	-	-	-	-	15
For John M. Helms,	-	-	-	-	-	46

Whereupon, Mr. A. G. Hodges was declared duly elected Public Printer for the ensuing year.

The House then proceeded to the election of Librarian.

Mr. Procter nominated Mr. George A. Robertson, and Mr. Haggard nominated Mr. Richard Long, and after interchanging nominations, this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Robertson, were—

Mr. Speaker,	Hall,	Page,
Messrs. Alexander,	Hanson,	Pearl,
Armstrong,	Hay,	Phillips,
Beeler,	Hobbs,	Poor,
Board,	Hord,	Procter,
Botts, A. G.	Ireland,	Riddle,
Botts, W. S.	Irvine, D.	Salter,
Bowman,	Irvine, J.	Spurr,
Boyd,	Jones, J. R.	Steele,
Bradford,	Jones, W. L.	Stevenson,
Brown,	Jordan,	Stewart,
Bush,	Marshall,	Talbutt,
Crawford,	Martin,	Tandy,
Covington,	Mayhall,	Thompson,
Devereux,	McCallister,	Vertress,
Dickerson,	McHenry,	Wade,
Durbin,	Meriwether,	Walker,
English,	Mitchell,	Waller,
Evans,	Morton,	White,
Gilbert,	Munford,	Wright—62.
Graves,	Owens,	

Those who voted for Mr. Long, were—

Messrs. Abell,	Glenn,	Rhea,
Alnut,	Haggard,	Rouse,
Bell,	Hager,	Smith,
Bowmar,	Harrison,	Soery,
Clarke,	Hoy,	Spalding,
Cobb,	Johnston,	Stevens,
Coleman,	Manafield,	Thomas,
Desha,	Mays,	Towles,
Elliott, J.	McArthur,	Wheeler,
Elliott, M.	Moore,	Williams,
Fletcher,	Oglesby,	Wortham,
Foley,	Reed,	Young—36.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. McHenry, from said committee, reported that the joint vote stood thus.

For George A. Robertson,	-	-	-	-	-	95
For Richard Long,	-	-	-	-	-	39

Whereupon, Mr. George A. Robertson was declared duly elected Librarian for the ensuing year.

The House then proceeded to the election of a Director of the Lunatic Asylum.

Mr. Glenn nominated Mr. George B. Kinkead, and Mr. W. S. Botts nominated Mr. Thomas Grant, and after interchanging nominations, this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Kinkead, were—

Messrs. Alexander,	Hoy,	Purdom,
Alnut,	Ireland,	Reed,
Bowman,	Irvine, D.	Rhea,
Bowmar,	Irvine, J.	Riddle,
Boyd,	Jones, J. R.	Rouse,
Bush,	Jones, W. L.	Salter,
Clarke,	Jordan,	Smith,
Cobb,	Mansfield,	Soery,
Coleman,	Marshall,	Spalding,
Crawford,	Martin,	Steele,
Covington,	Mayhall,	Stevenson,
Desha,	McCallister,	Stewart,
Devereux,	McHenry,	Talbutt,
Dickerson,	Meriwether,	Tandy,
Evans,	Mitchell,	Vertress,
Foley,	Morton,	Walker,
Gilbert,	Munford,	Waller,
Glenn,	Oglesby,	Wheeler,
Hager,	Owens,	White,
Hanson,	Page,	Williams,
Harrison,	Pearl,	Wortham,
Hay,	Phillips,	Wright,
Hobbs,	Poor,	Young—71.
Hord,	Procter,	

Those who voted for Mr. Grant, were—

Messrs. Abell,	Brown,	Johnston,
Beeler,	Elliott, M.	McArthur,
Board,	Graves,	Thomas,
Botts, A. G.	Haggard,	Wade—13.
Botts, W. S.		

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. McHenry, reported that the joint vote stood thus:

For George B. Kinkead,	-	-	-	-	-	100
For Thomas Grant,	-	-	-	-	-	16

Whereupon, Mr. Kinkead was declared duly elected Director of the Lunatic Asylum.

The House again resumed the consideration of the amendments of the the Senate, to the resolutions from this House, for presenting the widow of

the late Philip Norbourn Barbour a sword, and for the interment of his remains in the Frankfort Cemetery.

The first amendments proposed by the Senate was to strike out from the second resolution these words, "to present to his widow a sword with suitable commemorative devices."

The second amendment proposed by the Senate was to strike out before the word "permission" in the second resolution the word "her," and insert the word "the."

The third amendment proposed by the Senate was to add after the word "permission," in the second resolution, these words, "of the widow of said Barbour."

The fourth amendment proposed by the Senate was to amend the title to read as follows: "Resolutions for having the remains of the late Philip Norbourn Barbour brought to Kentucky, and for their interment in the Frankfort Cemetery."

The question was then taken on concurring in said amendments, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vertress and Jordan, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Glenn,	Procter,
Alnut,	Hager,	Reed,
Armstrong,	Hanson,	Rhea,
Botts, W. S.	Hay,	Riddle,
Boyd,	Ireland,	Rouse,
Desha,	Jones, W. L.	Smith,
Devereux,	Mayhall,	Spalding,
Dickerson,	McArthur,	Stevenson,
Durbin,	McCallister,	Talbutt,
Elliott, J.	Meriwether,	Waller,
English,	Page,	Wheeler—35.
Gilbert,	Phillips,	

Those who voted in the negative, were—

Messrs. Abell,	Harrison,	Poor,
Beeler,	Hoy,	Purdum,
Board,	Irvine, D.	Soery,
Botts, A. G.	Irvine, J.	Spurr,
Bowman,	Johnston,	Stewart,
Bowmar,	Jones, J. R.	Tandy,
Bradford,	Jordan,	Thomas,
Bush,	Mansfield,	Vertress,
Clarke,	Martin,	Wade,
Coleman,	McHenry,	Walker,
Covington,	Mitchell,	White,
Elkott, M.	Morton,	Williams,

Evans,
Foley,
Haggard,

Munford,
Owens,
Pearl,

Wortham,
Wright,
Young—45.

The amendments proposed by the Senate to the preamble and resolutions from this House, complimentary to General Taylor and the officers and soldiers under his command, were twice read and concurred in.

Bills from the Senate of the following titles, viz:

1. An act in relation to selling spirituous liquors to slaves.
2. An act for the benefit of Phoebe T. Wilkerson.
3. An act to divorce Tamsey Chadwell.
4. An act to amend the several acts in relation to the Lexington, Nicholasville, Danville and Lancaster Turnpike Road Company.
5. An act for the benefit of Jane S. Stewart, William J. Walker and his wife, Susan B. Walker, and the infant heirs of Daniel Stewart, deceased.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of the 1st, 2d, 4th and 5th bills having been dispensed with; the 1st was referred to the committee on the Judiciary, and the 2d, 4th and 5th were severally ordered to be read a third time.

The rule of the House, constitutional provision and third reading of the 2d, 4th and 5th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The yeas and nays being required on the passage of the second bill, by Messrs. Mitchell and Vertress, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,
Alexander,
Alnut,
Beeler,
Board,
Boyd,
Brown,
Clarke,
Cobb,
Coleman,
Crawford,
Devereux,
Dickerson,
Durbin,
Elliott, J.
Evans,

Glenn,
Haggard,
Hager,
Hanson,
Harrison,
Hoy,
Ireland,
Johnston,
Jones, J. R.
Jones, W. L.
Jordan,
Mansfield,
McArthur,
Morton,
Owens,

Poor,
Rhea,
Rouse,
Soery,
Spalding,
Spurr,
Talbutt,
Tandy,
Vertress,
Wade,
Walker,
Waller,
Wheeler,
Wortham,
Wright—46.

Those who voted in the negative, were—

Messrs. Armstrong,
Botts, A. G.

Graves,
Hay,

Phillips,
Riddle,

Botts, W. S.
Bowman,
Bush,
Covington,
Desha,
Elliott, M.
Foley,
Gilbert,

Irvine, D.
Irvine, J.
Martin,
Mayhall,
McHenry,
Mitchell,
Munford,
Page,

Salter,
Smith,
Stevenson,
Thomas,
White,
Williams,
Young—29.

At 6 o'clock, P. M., Mr. McArthur moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vertrees and Hanson, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,
Alexander,
Beeler,
Board,
Botts, A. G.
Botts, W. S.
Bowman,
Boyd,
Brown,
Bush,
Coleman,
Crawford,
Devereux,

Dickerson,
Glenn,
Harrison,
Hobbs,
Ireland,
Johnston,
Jordan,
Mansfield,
McArthur,
McHenry,
Meriwether,
Morton,

Page,
Phillips,
Poor,
Rouse,
Soery,
Spalding,
Stevenson,
Talbutt,
Tandy,
Thomas,
Wade,
Wheeler—37.

Those who voted in the negative, were—

Messrs. Alnut,
Armstrong,
Clarke,
Cobb,
Desha,
Durbin,
Elliott, M.
Evans,
Foley,
Gilbert,
Graves,
Haggard,
Hager,

Hanson,
Hay,
Hoy,
Irvine, D.
Irvine, J.
Jones, W. L.
Martin,
Mayhall,
Mitchell,
Munford,
Owens,
Pearl,
Rhea,

Riddle,
Salter,
Smith,
Spurr,
Stewart,
Vertrees,
Walker,
Waller,
White,
Williams,
Wortham,
Wright,
Young—39.

Mr. W. S. Botts moved that the House take a recess until 7 o'clock, and it was decided in the negative.

And then the House adjourned.

MONDAY, FEBRUARY 22, 1847.

A message was received from the Senate announcing their concurrence in the amendment proposed by this House to a bill from the Senate, entitled, an act to change the time of holding the spring courts in Pike and Floyd, and to change the time of holding the Lawrence and Morgan county courts.

That they had disagreed to a bill from this House, entitled, an act to amend the road law in Greenup county.

That they had passed bills from this House, of the following titles, viz:

An act to incorporate the Georgetown and Paris Turnpike Road Company.

An act authorizing the county court of Nicholas to change or discontinue a State road.

An act for the benefit of the Covington and Lexington Turnpike Company.

An act to incorporate a company to construct a turnpike road from Burlington to Florence, in Boone county.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act to change the place of voting in Simm's precinct, in Mercer county, to Cornishville.

An act to incorporate the Warsaw and Williamstown Turnpike Road Road Company.

An act to incorporate the Dry Run and Covington Turnpike Road Company.

An act to incorporate the Boone Turnpike Road Company.

An engrossed bill, entitled, an act in relation to the Penitentiary, was read a third time, as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund shall cause a building to be erected within the walls of the Penitentiary, as now extended, for a blacksmith shop; provided the cost thereof shall not exceed the sum of three thousand five hundred dollars. They shall, also, cause to be made, across the yard of the Penitentiary, a sewer, for the purpose of draining the yard of said Penitentiary: Provided, The same shall not cost more than two hundred dollars: And, provided further, that the payment for said building and sewer shall be made out of the State's share of the profits of the Penitentiary.

Sec. 2. Be it further enacted, That the Commissioners of the Sinking Fund, in their next settlement with the Keepers of the Penitentiary, shall allow said keepers credit for the sum of six hundred and seventy one dol-

lars and eleven cents, for extra work done on the buildings they have already erected within the walls of said Penitentiary; and the further sum of three hundred and seventy dollars, for filling and levelling up the new part of the yard of said Penitentiary.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Armstrong, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Harrison,	Mitchell,
Alexander,	Hay,	Munford,
Botts, A. G.	Hobbs,	Phillips,
Bush,	Hord,	Poor,
Clarke,	Hoy,	Procter,
Crockett,	Irvine, D.	Purdum,
Covington,	Irvine, J.	Rhea,
Dickerson,	Johnston,	Smith,
Elliott, J.	Jones, W. L.	Talbutt,
Evans,	Jordan,	Tandy,
Foley,	Mayhall,	Thomas,
Gilbert,	McCallister,	Towles,
Haggard,	McHenry,	Young—41.
Hanson,	Meriwether,	

Those who voted in the negative, were—

Messrs. Alnut,	Glenn,	Riddle,
Armstrong,	Graves,	Rouse,
Beeler,	Hager,	Soery,
Bowman,	Ireland,	Spalding,
Bowmar,	Jones, J. R.	Spurr,
Bradford,	Mansfield,	Stevens,
Cobb,	Martin,	Stewart,
Crawford,	McArthur,	Vertress,
Desha,	Moore,	Wade,
Durbin,	Morton,	White,
Elliott, M.	Oglesby,	Williams,
English,	Owens,	Wortham,
Fletcher,	Pearl,	Wright—39.

Resolved, That the title thereof be as aforesaid.

Mr. Riddle moved a re-consideration of the vote disagreeing to a bill from the Senate, entitled, an act for the benefit of James Jackman.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Evans and W. L. Jones, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Hanson,	Reed,
Alnut,	Harrison,	Rhea,

Board,
Bowmar,
Boyd,
Cobb,
Desha,
Dickerson,
Elliott, J.
Elliott, M.
Evans,
Fletcher,
Foley,
Glenn,
Graves,
Haggard,
Hager,

Hoy,
Ireland,
Irvine, J.
Johnston,
Jordan,
Mansfield,
Marshall,
Martin,
Mayhall,
McCallister,
Moore,
Oglesby,
Owens,
Pearl,
Purdom,

Riddle,
Rouse,
Smith,
Soery,
Spalding,
Spurr,
Stewart,
Tandy,
Towles,
Vertress,
Waller,
Williams,
Wortham,
Wright,
Young—51.

Those who voted in the negative, were—

Messrs. Armstrong,
Beeler,
Botts, A. G.
Bowman,
Bradford,
Brown,
Clarke,
Crawford,
Covington,
Devereux,

Durbin,
Gilbert,
Hay,
Hobbs,
Hord,
Irvine, D.
Jones, W. L.
McArthur,
McHenry,
Meriwether,

Mitchell,
Munford,
Page,
Phillips,
Poor,
Procter
Stevens,
Talbutt,
Thomas,
Wade—30.

The question was then put on the passage of said bill, and after some discussion had thereon the House proceeded to the special order of the day.

The House then resolved itself into a committee of the whole on the bill to remodel and establish permanently the system of Common Schools in this Commonwealth; Mr. Brown in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Brown reported that the committee had, according to order, had under consideration the bill aforesaid, and had adopted sundry amendments thereto, which he handed in at the Clerk's table.

The said bill reads as follows, viz:

THE SUPERINTENDENT.

SEC. 1. There shall be nominated by the Governor, with the advice and consent of the Senate, a Superintendent of Public Instruction, who shall reside and keep an office in Frankfort, for the convenient and proper performance of his duties, to which he shall devote his undivided attention. He shall superintend the organization and operation of the system of schools hereby established, and, by inspection and correspondence, keep himself constantly advised of the condition of the schools in the several districts and counties, and of the prospect and progress of the system in the different sections of the State. He shall visit, during the year, such portions of the State as he may deem advisable, to recommend and organize the system.

and, by his personal attention and efforts, exert himself to remove all obstacles to its adoption and success. He shall be the President of the Board of Education, and, by and with their advice, shall appoint the County Superintendents and Treasurers, and remove them at his pleasure. During the month of December, in each year, he shall make out a table showing the distributive share of the interest on the School Fund to which each county in the State is entitled, according to the relative number of children therein between the ages of five and sixteen, which shall be published for the use of the County Superintendents, and forwarded to them on or before the first day of January. Under the direction of the Board of Education, he shall, on the first Monday of February, check in favor of the Treasurer of each county for the sum said county is entitled to, under the terms hereafter prescribed; and shall keep the account of each county in a book provided for that purpose; and any surplus of the fund raised by this act, remaining at the end of each year, shall be vested by the Superintendent, under the direction of the Board of Education, in State bonds or stocks of either of the Banks in Kentucky, which shall be held in the name of said Board, and deposited in the office of the Superintendent. The interest on this investment shall be regularly received by the Superintendent, and credited by him to each county entitled thereto, in proportion to their respective claims on the original surplus fund, and distributed as the Board may direct. The Superintendent shall prepare and publish an annual report to the Legislature, within ten days after it meets, giving an accurate view of the condition of the Common Schools, and of the funds, and making such suggestions for the improvement and increase of both as he may deem useful.

SEC. 2. The Superintendent shall hold his office for two years, and until his successor is qualified; in case of death, resignation, or removal, the Governor shall fill the vacancy by an appointment, to be submitted to the Senate at its succeeding session. Before entering on his office, he shall execute bond to the Commonwealth, with good security, approved by the Governor, in the penalty of fifty thousand dollars, conditioned for the faithful discharge of his duties, and the disbursement of all moneys coming into his hands, as herein required; and on his failure or refusal to account for or pay over such money, it shall be recoverable by the party entitled thereto, by motion in the General Court, or such other Court of record in the county of Franklin as may have jurisdiction over the revenues of the State, ten days' previous notice being given him and his securities, or their executors or administrators, by the Board of Education. He shall be sworn into office by a Justice of the Peace, and shall receive an annual salary of fifteen hundred dollars, payable quarterly, by order of the Board of Education, out of the fund provided by this act, and also, the amount of postage on all communications to and from him in relation to Common Schools; but he shall not receive his fourth quarter's salary until his reports shall have been fully made out, and his conduct in office approved and certified by said Board and by the Governor, and afterwards ratified by the committee on Education of both branches of the Legislature.

THE BOARD OF EDUCATION.

SEC. 3. *The Superintendent of Public Instruction, Secretary of State, and First and Second Auditors, shall be and are hereby constituted a body politic and corporate, by the style of "the Board of Education for the State*

of Kentucky," having perpetual succession; which may hold and possess money, stocks, and property of any kind, for the use of Common Schools; may sue and be sued, plead and be impleaded, defend and be defended, in all Courts of record, or any other place whatever; and also, may make, have and use a common seal, and break, alter and renew the same at pleasure, and generally do all acts and things which a corporation may lawfully do. All bonds, notes, obligations, transfers, or other instruments made or ordered by the Board, shall be signed by the President, and when necessary, sealed with the corporate seal; and the Board shall always be subject to Legislative modification or repeal. It shall be the duty of the Board to meet at least once every month, to examine and pass upon all reports, and make all rules, by-laws and orders, not inconsistent with this act, which they may deem necessary for the full development and organization of this system in all its departments. A record shall be kept by the Superintendent of their proceedings, and they may publish any of said proceedings deemed advisable. They shall direct the amounts to be checked for by the Superintendent in favor of the County Treasurers, upon the following principles: If a county has six or more Common Schools in operation for four months in the year, outside of any city, then the whole dividend declared in favor of such county shall be paid over to the County Treasurer, to be distributed amongst all the schools in the county and city, in proportion to the numbers actually attending school; if a county has a less number of schools, the Board, being informed of the number of schools and scholars, shall determine what portion of the dividend for said county shall be paid over, which shall not be less than their proportion of the county dividend, but may be more, at the discretion of the Board; the balance shall, at the end of each year, be invested for the benefit of such county, in bonds or stocks, as above directed, as shall also, be the dividends due counties having no Common Schools.

COUNTY SUPERINTENDENTS.

SEC. 4. There shall be a County Superintendent for each county in the State, appointed as above stated, who shall execute bond, payable to the Board of Education, with good security, to be approved of by the Superintendent, filed in his office, in a penalty to be fixed by him, and conditioned for the faithful discharge of his duties. He shall arrange the school districts in his county, and no district shall contain less than twenty-five, nor more than one hundred children, between the ages of five and sixteen; he shall number, file a description thereof in the County Court Clerk's office and forward a copy to the Superintendent. He shall personally superintend the organization of all Common Schools in his county, and all elections and votes necessary in the districts, and on appeal from the Trustees, shall decide all difficulties therein as to the organization or management of the schools. He shall examine all persons presenting themselves as teachers, male and female; and if found of good moral characters, and of proper qualifications to teach, successfully, the usual branches of English Education, he shall give them a certificate to that effect; without which certificate from the Superintendent of the county in which the application to teach is made, no person shall be permitted to teach a Common School in any county of the State. He shall, on application of the Trustees, draw checks for the portion of the county school fund due any district, upon the county Treasurer; and on his failure to check, or of the Treasurer to pay, the amount due may

be recovered of the Treasurer by warrant before a Justice of the Peace. He shall answer punctually all communications from the Superintendent, report quarterly to him the condition of all the schools in the county, and on or before the first of December, each year, shall make an annual report of the number of districts in which schools have been kept; the length of time; the number of children, between the ages specified, in each district having a school; the average number at school in each district during the year; the cost of each scholar, per month; together with an accurate statement of the money distributed, the prospects of the system in the county, and such suggestions as to its improvement as he may deem proper. He and his successor or successors in office shall be a body corporate and politic, by the name of "the County Superintendent of Common Schools" of the county in which he resides, may sue and be sued, contract and be contracted with, and hold, for the use of the Common Schools of his county, any money, stocks, and property, real and personal, to an amount not exceeding one hundred thousand dollars, acquired, distributed, granted or devised; the same to be under his control and management, subject to the supervision of the Superintendent of Public Instruction and the Board of Education. The County Commissioners under the present laws, shall, after the passage of this act, deliver to the County Superintendent of their respective counties, all books, papers and property in their possession, relating to their office; and in case of the removal or resignation of the County Superintendent, he shall deliver to his successor any money, books, papers or property remaining in his hands, belonging to his said office; and on failure of either to do so, they, or their legal representatives, shall be liable to a recovery, to the amount of the full value of the articles retained, and subject, also, to a fine not exceeding one hundred dollars. His compensation shall be three dollars for each day actually employed in laying off the districts, attending election, the organization or regulation of schools, or in the performance of any duty requiring his absence from home one day or more. This compensation shall be paid him out of the county levy, whenever he presents to the County Court the quarterly certificate of the Superintendent of Public Instruction, that he has faithfully performed his duties, and is entitled to receive the amount claimed.

COUNTY TREASURER.

SEC. 5. There shall be a County Treasurer for each county, appointed as herein provided, who shall execute bond, as directed in the case of County Superintendent; and whose duty it shall be to receive all sums of money deposited with him by the Superintendent of Public Instruction, and pay all orders drawn on him by the County Superintendent, out of funds in his hands, for the use of the Common Schools of his county. He shall also receive from the County Superintendent, and if necessary, sue for and collect, all moneys and property, acquired, subscribed, given, granted or devised, for the benefit of Common Schools in his county. He shall keep an accurate account, in a book or books provided for the purpose, of all sums received and paid out by him, and of all transactions passing through his hands. He shall receive, as compensation, two per cent. on all payments made by him, and such other allowance as the Board of Education may, in each case, allow; and his books and accounts shall at all times be open to the inspection of the Superintendents of Public Instruction and of the county.

TRUSTEES.

Sec. 6. The County Superintendent may appoint three Trustees for each district in the county, who shall remain in office, unless a majority of the qualified voters of the district shall meet on the first Saturday of April, of each year, and elect different Trustees. It shall be the duty of the Trustees to appoint a Clerk, who shall record their proceedings, attend all their meetings, and perform such other duties as may be required; they shall also appoint a collector to collect, by suit or otherwise, in the name of the Trustees, all sums due them or the teacher; and he shall be allowed five per cent. on all moneys collected by him. The Trustees may admit all persons into the school between the ages of five and twenty-one, and shall select a teacher or teachers, male or female, for the district; purchase or receive gifts of land, not exceeding two acres, and provide for the erection of a school house, superintend the management of the school, provide furniture and fuel, make repairs, and sue for and recover any damages to the premises. They are hereby created a body politic and corporate, with power to sue and be sued, contract and be contracted with, and do whatever else is necessary to carry out and enforce their rights and duties. All moneys received by them, and not expended during the year, shall go into the account of the succeeding year, and be reported by them to the County Superintendent. They shall have power to procure a Common School Library, and make every necessary regulation concerning it. On or before the 10th day of November, in each year, they shall report to the County Superintendent the whole number of children, between the ages of five and sixteen, residing in the district; the number taught at school; the amount of money received and disbursed, and the length of time a school has been taught, during the year. The County Superintendent shall fill any vacancy occurring in the Board of Trustees; and any Trustee failing to perform his duty, shall be liable to a fine of five dollars, or if the Trustees fail to report to the County Superintendent, they shall jointly be liable to a fine of fifteen dollars; which fines shall be recoverable, on motion of the County Superintendent, before any Justice of the Peace of the county, and shall be applied by him for the benefit of the School Library. When the term of the Trustees expire, which shall be on the first Saturday of April, in every year, they shall promptly deliver all books, accounts, papers, money and property to their successors, together with a full inventory thereof, and on failure, a recovery, in the name of the new Trustees, may be had, after ten days' previous notice, on motion before a Justice of the Peace.

ORGANIZATION OF DISTRICTS AND SCHOOLS.

Sec. 7. The districts shall be adapted, as nearly as possible, to the conveniences and wishes of the people, and the geography of the country. Where a county line intersects a neighborhood whose convenience may require a district organized of parts of two or more counties, the district may be so formed, and the report made from the county in which the school house is located; and the number of children on each side of the line shall be noted in the report, and charged to the proper county.

Sec. 8. So soon as the citizens of any school district shall raise, by subscription or otherwise, as they may determine, money or property sufficient, with their proportion of the School Fund, hereby appropriated, to maintain

a school for the term of four months, and have it taught by a competent teacher, such district, after its organization, shall be entitled to its distributive share, as heretofore provided for; and upon the report of the Trustees to the County Superintendent, agreeably to this act, shall receive the same; but no money shall be appropriated by the Superintendent of Public Instruction till the County Superintendent reports to him the number of districts in his county, of children in each district, of the ages specified, and of the number of schools in operation, or prepared to go into operation.

Sec. 9. The Commissioners of Tax shall take in the number of children in the county, between the ages of five and sixteen, subject to a fine of twenty dollars for failure to do so, to be deducted out of their compensation.

Sec. 10. This act, as to districting, is not to apply to the cities of Louisville, Lexington and Maysville, which cities shall be considered as having adopted this system, so long as they maintain Public Schools; and they shall be entitled to the benefits of this act, on report of the agent of Public Schools of said cities, in conformity to the requisitions herein; and the amounts due them shall be paid by the Superintendent of Public Instruction to the Mayor and Council, for the use of their Public Schools.

THE FUND.

Sec. 11. The interest on the sum of eight hundred and fifty thousand dollars of the surplus revenue of the United States, deposited with this State, heretofore set apart for the benefit of Common Schools, together with all the bank stock heretofore purchased by the interest accruing on the same, now owned by the State, or which may hereafter be purchased by the same means, or otherwise funded or derived from the sale of State bonds issued to the Board of Education, or any other funds which may be hereafter appropriated for the same purpose, shall be and the same is hereby set apart and faithfully dedicated forever, as a fund for the benefit of Common Schools and a system of general instruction in the State of Kentucky; to the benefits of which the several counties in this State shall be entitled, in proportion to the number of children therein, between the ages of five and sixteen, on the terms and conditions as set forth in this act.

Sec. 12. To provide, in part, for the payment of the interest on the said fund, twenty thousand dollars are hereby appropriated, out of any moneys not otherwise appropriated, for the benefit of the system hereby established, for the current year, and an additional tax of two cents shall, from this time forward, be annually collected by the proper officers, on each one hundred dollars worth of taxable property in this Commonwealth, to be devoted exclusively to the maintenance of the Common School system, hereby created, and which, when paid in by the collecting officers, shall be placed to the credit of the Superintendent of Public Instruction, in the Branch of the Bank of Kentucky, at Frankfort.

Sec. 13. That all acts or parts of acts, within the purview of this act, and all acts in relation to Common Schools, be and the same are hereby repealed, reserving all rights of property, and obligations acquired under the same.

The first amendment proposed by the committee of the whole to said bill, was to strike out the first and second sections.

The second amendment was to strike out from the third section the words printed in italics.

The third amendment was to strike out of the fourth section the words "three dollars," and insert "one dollar and fifty cents."

The fourth amendment was to strike out the fifth and twelfth sections.

Mr. Graves moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Jordan, were as follows, viz :

Those who voted in the affirmative, were—

Messrs. Alnut,	Elliott, M.	Smith,
Armstrong,	Graves,	Spalding,
Beeler,	Hay,	Stevens,
Board,	Jones, J. R.	Thomas,
Botts, A. G.	Jones, W. L.	Towles,
Bowman,	Jordan,	Vertress,
Bowmar,	Morton,	Wade,
Clarke,	Oglesby,	Wheeler,
Desha,	Pearl,	Wortham,
Durbin,	Poor,	Wright—31.
Elliott, J.		

Those who voted in the negative, were—

Mr. Speaker,	Hunson,	Owens,
Messrs. Abell,	Harrison,	Page,
Alexander,	Hobbs,	Phillips,
Boyd,	Hord,	Procter,
Bradford,	Hoy,	Purdom,
Bush,	Ireland,	Reed,
Cobb,	Irvine, D.	Rhea,
Crawford,	Irvine, J.	Riddle,
Crockett,	Johnston,	Rouse,
Covington,	Mansfield,	Salter,
Devereux,	Marshall,	Soery,
Dickerson,	Martin,	Spurr,
English,	McArthur,	Stewart,
Evans,	McCallister,	Talbutt,
Fletcher,	McHenry,	Tandy,
Foley,	Meriwether,	Waller,
Gilbert,	Mitchell,	White,
Glenn,	Moore,	Williams,
Haggard,	Munford,	Young—58.
Hager,		

Ordered, That said bill be referred to Messrs. Waller, Hobbs, Williams, Rhea, Meriwether, Marshall, Procter, Bush and Page, to report the same to the House at 7 o'clock, P. M.

Mr. Armstrong moved a reconsideration of the vote adopting the resolution proposed by Mr. Brown on Friday last.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and decided in the negative, and so the said resolution was rejected.

Mr. W. S. Botts, from the committee appointed to visit the Lunatic Asylum, made the following report, viz:

The committee appointed by the House of Representatives to examine into the condition and administration of the Lunatic Asylum, at Lexington, having discharged the duty assigned them, respectfully submit the following report:

In view of the short period remaining of the present session of the Legislature, the committee concluded to waive the power granted them, under the resolution of this House, of sending for persons, and instituting an investigation by depositions, respecting the government and administration of the Institution. Believing that more accurate information, in the brief period allowed them, could be derived from inquiry of, and conversation with, disinterested, intelligent and scientific gentlemen of the city of Lexington, of different pursuits and professions, selecting such individuals as they were informed enjoyed opportunities of observing the government and conduct of the Institution, and would be actuated by none other than disinterested motives, in any errors or neglect in the proper administration they might suggest; by visiting the Institution in person, and every apartment thereof, a close observation of the condition and general appearance of the unfortunate inmates thereof, the provision made for their comfort, the treatment adopted, and means employed to alleviate their condition of mind, or effect a restoration thereof; by a circumstantial inquiry of the Superintendent and inferior officers respecting all which came under their observation at repeated visits to the Asylum. Such investigation and such examination of the Institution, and of its various apartments, and the condition of some of its unfortunate inmates, has satisfied the committee that it has not received that attention and munificence from the Legislature which the humane purposes of its establishment contemplates. Many of the apartments, especially in the basement of the principal building, are, in the opinion of the committee, unsuitable tenements for the insane; from their construction, badly adapted to free ventilation and light. These dirty and gloomy cells, for want of free circulation, offensive to the sense of any one who has not been long enured to them, the committee found principally tenanted by the most hopeless female patients; such as they were informed are deemed incurable, for whom no hope can be entertained of a return to society or even to friends and relations. We do not call attention to this obvious neglect or at least defective provision for the health and comfort of these unfortunate beings, who present so strong claims on our sympathies, for the purpose of imputing censure to the Board of Directors, the Superintendent, or other officers of the Institution; but as a fact coming under their observation, censurable in their judgment, appealing in the strongest terms to their feelings for redress; one which, however, they deem it due here to assert they were assured by the Superintendent, was indispensably incident to the crowded condition of the Asylum, to the inadequate provision which as yet had been made by the State for the increased numbers whose friends had sought for them an asylum in the Institution. The committee, upon inquiry and close examination, are of opinion that it is a circumstance for which the Commonwealth, in the greatest degree, is responsible. In view whereof, the committee deem it their duty to urge upon this House, under whose direction they act, the importance and necessity of an adequate appropriation to complete the additional building now under erection; until the completion of which, they are of opinion the accommodation for lodging the in-

mates, which is essential to their comfort; or such classification cannot be obtained as is deemed alike important for such, as well as the further purpose of improving their mental condition. Every feeling of humanity and every consideration of public duty appeals to the Legislature for an appropriation that will render the Asylum useful and creditable to the State, and enable its officers to administer to the comforts and improvement of its inmates, many of whom are destined to terminate a miserable, in many instances an almost unconscious, existence within its walls. The inadequacy of the present buildings may be remedied, in the opinion of the committee, by the completion of a new building, which has been commenced and erected to the second story, a plan of which is submitted in the report of the Superintendent. The completion of this building will furnish suitable apartments for the present and (possibly) an increased number of patients.

The committee are unwilling to attach censure to the Directors of the Institution, which they would not be able to sustain by proof accompanying this report; more especially, as the gentlemen composing the board receive no pecuniary compensation for their services; yet, from communications made them, and their own observation, they were induced to doubt whether the construction of the building now under erection had been conducted with as much energy, or its completion in as great forwardness, as time, the appropriation by a former Legislature, and the labor, admitted in the report of the chairman of the board to have been derived from the inmates of the Institution, might have justified. The committee, however, were informed by the chairman of the board that the timber and materials necessary for the erection of the building, except for covering it, was provided, ready to be employed as soon as the season admitted their resuming the work.

The committee could not acquire, in the short period of time they felt constrained to circumscribe their investigation—from observation, very accurate information respecting the general discipline and conduct of the Institution, the capacity, temper and general habits of the inferior officers of the Institution—a portion of the duty assigned them by the House of Representatives, referring to them several communications from citizens of the State. For such information, they were compelled to rely upon information derived from the chairman of the board and Superintendent of the Institution, and such inquiry as they made of citizens of the city of Lexington. Their investigation of the medical treatment, or other remedies employed for the restoration of the inmates, the extent and character of labor exacted of them, was necessarily of a similar character. The committee laid before the chairman and Superintendent the charges made by a citizen of the county of Fleming, a former inmate of the Institution, against an inferior officer thereof; and received for reply, that he was the only attendant with whom they were not perfectly satisfied; that he had been long in the Institution; was well qualified, from his experience, for the discharge of his duties; was only objectionable in respect to his temper.

The committee instituted a careful inquiry and investigation as to any abuse existing in the Institution with respect to the labor exacted of the inmates, and the character of the employment imposed on them. They felt their attention more particularly directed to this subject, by the memorial of a citizen of the city of Louisville, referred to them by the House upon the occasion of their appointment. They availed themselves, when conversing with the inmates of the Institution, many of whom they found laboring under no mental infirmity that precluded their conversing freely on many subjects, to inquire of them in reference to the treatment they experienced in this respect. With intelligent citizens of the city of Lexington, when conversing respecting the Institution, they alluded to this subject, and the charges that had been made against the Institution. No circumstance which came under the observation of the committee, so

information they derived from any source, has left any impression on their minds that the charges made against the Superintendent or Directors in this respect are well grounded. They fully concur with the views advanced by the intelligent and efficient Superintendent, that experience has evinced that moderate labor, at suitable seasons, has a salutary effect upon the general health of the patients, and a consequent improvement of their mental infirmity; especially such patients whose vocations in life, previous to their confinement in the Asylum, had been of such character. Such labor only as tended to an improvement of the health of the inmates, or such as, at least, did not tend to impair it, the committee were of opinion, should be exacted of them. No purpose of relieving the State of any portion of the burthen imposed on it, by their residence at the Asylum, should be any inducement to impose more on any unfortunate tenant of an institution professing to be a disinterested gratuity of the State. The committee are gratified in reporting that no circumstance or information they derived has induced an impression that the directors have been actuated by different impressions. The individual alluded to in the memorial of a citizen of Louisville, the committee, in their investigation, found to be among the most helpless, at least the most infirm in mind, of the patients in the Asylum. From such information as they derived, it is impracticable, from his habits, (and propensity to destroy his clothes,) to preserve decent apparel upon him. The charge that he was employed in "treading mortar," they are induced to believe, has no foundation, unless it be in the fact that he was not prevented by his attendant from doing so voluntarily, from his own promptings. The Superintendent defended the character of his letter, to which rudeness is imputed, that it was provoked by one of similar tenor from the memorialist; that (he) the father and memorialist was represented to him as a gentleman of liberal fortune, and his unfortunate son a pauper tenant of the Institution; that he had reason to expect his return to the Asylum; that had it not been expected, it was not his duty to send after him any clothing furnished him at the Institution; that his father was informed in the letter complained of, that the trunk and remaining clothing of the patient was subject to his order. In submitting the foregoing facts, without further comment, to the consideration of the House, the committee feel that they have as fully discharged their duty in respect to the memorial, which induced their appointment, as circumstances demanded.

The Superintendent of the Institution, the committee were gratified to find, enjoys, in a high degree, the esteem and confidence of many of the most zealous and philanthropic friends of the Asylum; a confidence, in their opinion, in contemplation of the responsible duties devolved on him, well deserved. Amiable, urbane and patient in his temperament, they are well assured that, in an eminent degree, he has improved, since his appointment, the rare qualities with which nature has endowed him, and which peculiarly fit him for the station. The Commonwealth should deem herself fortunate in his selection to preside over an Institution having for its purpose the extenuation of human suffering. While they take pleasure in testifying the confidence reposed in Dr. Allen by intelligent citizens, they deem it a duty here to state an exception they heard often taken to the general treatment of the patients, with respect to exercise and air. The committee, viewing this as highly important in the general administration of the Institution, a treatment for which credit has been claimed by the present board as a reformation, took especial pains of inquiring respecting it and satisfying their minds whether such complaints made in their hearing were just. After frequent inquiry, the committee were induced to believe that when not employed in labor, that for the purpose of air, exercise and amusement, the patients were not allowed to roam (under the supervision of their attendants) over the grounds of the Asylum as much as would be conducive to health.

The committee were of opinion that as much attention had been paid to classification as the importance of such discipline demanded, (as claimed for it in the report of the chairman of the board,) with rare exceptions. To two instances especially they called the attention of the Superintendent—a male and a female patient. With respect to the first, to their surprise, they were assured it was his choice; the latter, that it was necessary to punish her by such confinement, to secure the comfort of other inmates. Knowing the responsible duty devolved upon the Superintendent, the embarrassments he labors under for want of a proper, fostering care and attention towards the Institution from the State, the committee have forborne to allude, in the absence of proper proof, to other out-of-door complaints made to them of the mismanagement of the Institution.

The Board of Directors is composed of five gentlemen, distinguished for their intelligence, whose duty it is to watch over the interest of the Institution, and advise in reference to its general management. Their services are disinterested and gratuitous, without any pecuniary reward. It is such service as the philanthropist delights to perform, and derives his reward in the consciousness of having labored to alleviate the suffering of afflicted humanity. The committee are induced to believe that the Board of Directors, in the prosecution of their respective pursuits, and discharge of numerous engagements, in some instances as high public functionaries, in a different department, have failed to render that service and bestow that attention and supervision which the character of the Institution claims, and the relation they stand to it demands. Justice to ourselves demands that we should state, that this conclusion is not derived exclusively from rumor, or information communicated to us outside of the officers of the Institution. For the purpose of relieving, in some degree, the present Board of Directors, and insuring prompt and frequent supervision and attention to the interest of the Institution, the committee would recommend to this House, and through it to the Legislature, an increase in the number of the Directors.

The committee deemed a more circumstantial statement of the expenditures of the board than is contained in the annual report of the chairman, as well as a statement of the salaries of the various officers, information important to this House. Accompanying this report, marked A and B, are the statements laid before the committee by the chairman of the board.

All of which is respectfully submitted.

THOS. D. BROWN, CH'N.
WM. S. BOTTS,
D. R. HAGGARD,
ALBERT G. RHEA,
WM. ALEXANDER,
M. O. WADE,
W. W. ALNUT.

Committee of H. R.

[A.]

OFFICE OF KENTUCKY LUNATIC ASYLUM,
Lexington, February 18, 1847. }

DEAR SIR:—In response to your interrogatories, I beg leave to submit the following statement.

Very respectfully,

W. E. MILTON, Sec'y.

To THO. D. BROWN, *Ch'm. Com. House Rep. to visit L. A.*

The estimated value of brick on hand January 1, 1846, - - - - -	\$3,600 00
Paid to W. Pullen for setting furnace and building hot air chamber, -	\$ 59 97
Paid T. Lewinski on account of drawing plans and superintending buildings, -	100 00
Paid J. Moore for stone work, - - - - -	26 73
Paid J. Harper, bill of lumber, - - - - -	7 24
Paid J. Bayles for laying 48,000 brick, and furnishing sand and lime, on building connecting the two houses in the rear of main house, -	104 87
Paid G. Metcalf, one load of gravel, - - - - -	3 00
Paid Harper & McKee, bill of lumber, - - - - -	28 32
Paid J. Condit, 30 days of carpenter's work on house connecting the building in rear of main house, -	30 00
Paid F. Montmollin, bill of lumber, - - - - -	36 08
Paid J. Williamson for labor, - - - - -	55 00
Paid Van Dalsen & Davis, shingles and lumber, - - - - -	66 57
Paid N. & H. Shaw, 6 kegs nails, - - - - -	36 50
Paid E. K. Sayre, 579 bushels lime, - - - - -	86 13
Paid J. Bevan & Co., 2,260 lbs. cast window sash, - - - - -	79 92
Paid B. H. Hall, lathing and plastering three new rooms, - - - - -	102 00
Paid J. Bayles, 1 cart, - - - - -	40 00
Paid Swift & Robbins, glass, paints and oils, - - - - -	64 84
Paid Dudley & Carty, bill of blasting powder, - - - - -	12 75
Paid J. S. Hockersmith, 765 bushels lime, - - - - -	107 10
Paid L. L. Thompson, 244 perch stone work laid in foundation, - - - - -	170 80
Paid S. T. Hays, 1 load of pud locks, - - - - -	7 09
Paid D. C. Wickliffe, advertising proposals for lumber, - - - - -	5 62
Paid McKee & Swigert, carriage on sash from Cincinnati, - - - - -	5 65
Paid W. Young, labor in quarry, - - - - -	33 87
Paid Harper & McKee on account of contract for the lumber for new building, - - - - -	250 00
Paid M. Wiley, 585 bushels lime, - - - - -	81 20
Paid Tuder & Alvis, 33½ days carpenter's work, - - - - -	33 25
Paid T. Lewinski, architect, for superintending the erection of new building, - - - - -	100 00
Paid J. Bayles on account of laying brick in the new building, at \$1 25 per 1,000, - - - - -	610 00
Paid J. Hart, one load of scaffolding poles, - - - - -	15 00
Paid P. E. Todhunter, 1,995 bushels gravel, - - - - -	152 70
Paid L. Stewart, 520 bushels lime, - - - - -	72 80
Paid J. Vallandingham, 2,100 bushels sand, - - - - -	210 00
Paid Van Dalsen & Davis, bill of lumber, - - - - -	31 64
Paid J. Bayles, scaffolding poles, - - - - -	16 00
Paid F. Montmollin, - - - - -	16 53
Paid Swift & Robbins, bill of paints, glass, powder and nails, - - - - -	32 64
Paid J. C. Butler, bill of stoves, hardware and tin guttering, - - - - -	80 37
Paid N. & H. Shaw, 2 kegs of nails, - - - - -	11 75
Paid Dudley & Carty, bill of blasting powder, - - - - -	8 50
Paid Harper & McKee, bill on lumber, - - - - -	661 31
Paid M. J. Anderson, bill of seasoned lumber, - - - - -	114 69
Paid J. Putnam, sash cord, - - - - -	6 50
Paid Jo. Ennis, bill of iron and blacksmith work, irons for arches, S, &c., -	127 00
Paid Bayles & McMurry on account of balance due them for moulding and burning brick, - - - - -	100 00
Paid J. Haun, 46 days carpenter's work, - - - - -	46 00
Paid J. Sullivan, services in attending to hauling brick from yard to building, -	46 00
Paid J. Cummins, same, - - - - -	105 00
Paid J. Nilson, 247 days carpenter's work, - - - - -	247 00

Whole amount expended on new buildings, - - - - -

\$4,446 64

[B.]

The following persons are employed in the Kentucky Lunatic Asylum, with their compensation annexed:

No. 1.	John R. Allen, M. D., Medical Superintendent,	- \$1,500 per annum.
No. 2.	J. A. Mitchell, Assistant Physician,	- 100 "
No. 3.	W. Rice, Steward,	- 300 "
No. 4.	Mrs. Jane Rice, Matron,	- 200 "
No. 5.	J. Williams, Assistant,	- 240 "
No. 6.	T. Probert, Assistant and Baker,	- 240 "
No. 7.	P. Fitzpatrick, Assistant,	- 240 "
No. 8.	J. Halliday, Assistant,	- 240 "
No. 9.	A. H. Weaver, Assistant,	- 240 "
No. 10.	W. Christie, Assistant,	- 240 "
No. 11.	M. J. Withrow, Female Assistant,	- 100 "
No. 12.	E. Johnson, Female Assistant,	- 100 "
No. 13.	M. E. Diamond, Female Assistant,	- 100 "
No. 14.	L. Robinson, Female Assistant,	- 150 "
No. 15.	L. J. Weaver, Female Assistant,	- 150 "
No. 16.	M. Burch, Female Assistant,	- 100 "
No. 17.	L. Anderson, Female Assistant,	- 100 "
No. 18.	Geo. Thornton, Gardener,	- 240 "
No. 19.	Jas. Nelson, Carpenter,	- 312 "
No. 20.	W. E. Milton, Secretary and purchaser of supplies,	500 "
	6 negro women, cooks and house servants,	- 239

W. E. MILTON, Sec'y.

OFFICE OF L. ASYLUM OF KENTUCKY, }
February 17, 1847. }

Ordered, That said report be made the special order of the day for Friday next, and that the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

A message was received from the Senate by Mr. Heady, asking leave to withdraw their report announcing their disagreement to a bill from this House, entitled, an act to revive and amend the Shepherdsville and Louisville Turnpike Company; which was granted and the bill was withdrawn.

A message was received from the Senate, announcing that they recode from their amendments to resolutions from this House, for presenting the widow of the late Philip Norborne Barbour a sword, and for the interment of his remains in the Frankfort Cemetery.

That they had passed a bill from this House, entitled, an act for the benefit of certain Common Schools in this Commonwealth, with an amendment.

That they had passed a bill, entitled, an act for the benefit of Napoleon B. Burks and Eliza Jane Burks, his wife.

A message was received from the Governor, by Mr. Kinkead, Secretary of State, announcing that he had approved and signed enrolled bills and a resolution which originated in this House, of the following titles, viz:

An act for the benefit of the sheriffs of Calloway and Breathitt counties.

An act for the benefit of James Purvis and others, of Green county.

An act to change the name of James Thomas to that of James Thomas Irvine.

An act for the benefit of the sheriff of Estill county.

An act to amend an act incorporating the town of Burksville.

An act to amend an act, entitled, an act to reduce into one the several acts in relation to the town of Danville, and for other purposes, approved February 16, 1846.

An act allowing additional Justices of the Peace to the counties of Bath and Henry.

An act allowing additional Justices of the Peace to Knox, Cumberland, and Green counties.

An act to allow two additional Justices of the Peace to the county of Wayne, and one to the county of Bath.

An act to change the place of voting in Hart county, from the house of James Simpson to John H. Lively's, and for other purposes.

An act for the benefit of John R. Ringo.

An act for the benefit of Ann Neal and others.

An act for the benefit of Elias P. Davis.

An act to amend the law in reference to guardians and wards.

An act giving to the Livingston county court power to change the State road in said county, and for other purposes.

Approved February 17, 1847.

An act to regulate the time of holding the circuit courts in the 2d and 7th judicial districts, and for other purposes.

Approved February 18, 1847.

A resolution rescinding the resolution for the election of public officers and fixing another day for such election.

Approved February 17, 1847.

The House then took up the bill to extend the Slackwater Navigation of the Kentucky river, and for other purposes.

On motion of Mr. Mitchell, the said bill was then amended, and as amended, reads as follows, viz :

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor be and he is hereby authorized and required, with a view to continue and complete the slack water navigation of the Kentucky river, to contract with the lessees of the Penitentiary for the work and labor of one hundred of the convicts of said institution.

SEC. 2. *Be it further enacted*, That in making said contract, not more than forty cents per day, for the labor of each convict, shall be allowed, when applied to the construction of the Locks and Dams on said river, or in working on materials for the construction thereof; the said lessees to clothe and feed said convicts at their own expense, as now provided for; nor shall any contract, in the first section authorized to be made, have any effect or influence whatever to alter or change the contract now existing, save and

except the per diem of forty cents for the labor of each convict whilst employed on the Locks and Dams, and the materials thereof, as aforesaid.

SEC. 3. *Be it further enacted*, That the Governor be and he is hereby empowered and required to allow the employment of not more than fifteen men, at a price not exceeding fifteen dollars each, per month, as a guard over said convicts whilst employed on said work, and also, to allow the employment of not more than ——— principal mechanics, at a price not exceeding thirty dollars per month, to work on said Locks and Dams.

SEC. 4. *Be it further enacted*, That the Governor be and he is hereby empowered and required to direct a re-examination of the sites for the location of Locks and Dams on said river, by an able and competent engineer, at a salary not to exceed fifteen hundred dollars per annum, whose duty it shall be to superintend and direct in the construction of said Locks and Dams, and also, to superintend the Locks and Dams already constructed.

SEC. 5. *Be it further enacted*, That, with the view of accelerating the completion of said Slackwater Navigation, the County Courts of the counties of Mercer, Boyle, Garrard, Madison, Clarke, Fayette, Jessamine and Woodford, be and they are hereby authorized and empowered, if they deem proper, to subscribe such sums as may by them be deemed right for the building of one or more Locks and Dams, as aforesaid; to raise the sum so subscribed by levying an ad valorem tax not exceeding five cents upon the hundred dollars worth of property subject to taxation in their respective counties.

SEC. 6. *Be it further enacted*, That for the purpose of raising the necessary funds, by all legitimate means, for the completion of Locks and Dams Nos. 6, 7, 8, 9 and 10, earlier than can be effected by the sum herein provided for will do, power and authority is hereby given John B. Thompson and Christopher Chinn, of the county of Mercer; James S. Hopkins and Charles Caldwell, of the county of Boyle; Hall Anderson and Joseph Hopper, of the county of Garrard; Squire Turner and Daniel White, of the county of Madison; Samuel M. Taylor and F. F. Jackson, of the county of Clarke; James Shelby and Jacob Ewing, of the county of Fayette; James Clarke and Tucker Woodson, of the county of Jessamine; Thomas P. Porter and Thomas W. Sellers, of the county of Woodford; Philip Swigert and Harry I. Bodley, of the county of Franklin; and John Draffin and Randall Walker, of the county of Anderson, who are hereby made Commissioners of the counties respectively, to open books and receive subscriptions of money to aid in the completion of said Locks and Dams, and to keep said books open as long as said Commissioners shall deem it necessary; and whenever the sum of ten thousand dollars shall be subscribed to the building of the next Lock and Dam in the series, above Lock and Dam No. 5, it shall be the duty of the Commissioners to transmit the subscription list of the said counties respectively, to the Governor, whose duty it shall be to let the Lock and Dam, to be built as aforesaid, to contract, to the lessees aforesaid, upon the terms hereinbefore prescribed: *Provided*, That all subscribers may say whether they are willing that their subscriptions should go to said Lock and Dam No. 6; and if they prefer that the same shall go to some other Lock and Dam, their purpose, to that effect, shall be sufficiently indicated by placing the number of the Lock and Dam to which they desire their subscriptions to go, opposite their names on the subscription list: *Provided further*,

That not more than two Locks and Dams shall be commenced during the year 1847.

SEC. 7. *Be it further enacted*, That when any of the Locks and Dams shall be completed, the Governor shall issue to the persons or counties paying any sum for the construction thereof, a certificate for the sum so paid by them respectively, bearing interest after the rate of five per centum per annum, payable semi-annually out of the net tolls and water power accruing at the Lock and Dam to the construction of which the money was subscribed; the principal to be re-imbursed, at the pleasure of the State, out of the net profits of the Kentucky River Navigation.

SEC. 8. *Be it further enacted*, That said convicts shall labor under the control and overseership of the lessees of the Penitentiary, or one of them, supervised and directed as to the character of work to be done, by the principal or chief engineer.

SEC. 9. That the convict labor of the Penitentiary hereby appropriated, shall be exclusively directed, for the year 1847, to Lock and Dam No. 6.

Mr. Williams moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and McArthur, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,	Gilbert,	Oglesby,
Armstrong,	Glenn,	Owens,
Beeler,	Graves,	Pearl,
Bell,	Haggard,	Procter,
Board,	Hager,	Purdom,
Bowman,	Hall,	Rhea,
Bowmar,	Hay,	Rouse,
Boyd,	Hord,	Smith,
Bradford,	Ireland,	Soery,
Brown,	Johnston,	Spalding,
Clarke,	Jones, J. R.	Stevens,
Cobb,	Jones, W. L.	Thomas,
Crockett,	Mansfield,	Towles,
Covington,	Mayhall,	Vertress,
Desha,	McArthur,	Wade,
Durbin,	McCallister,	Waller,
Elliott, J.	McHenry,	White,
Elliott, M.	Moore,	Williams.
English,	Morton,	Wortham,
Fletcher,	Munford,	Wright—61.
Foley,		

Those who voted in the negative, were—

Mr. Speaker,	Irvine, D.	Reed,
Messrs. Abell,	Irvine, J.	Riddle,
Alexander,	Jordan,	Salter,
Botts, W. S.	Marshall,	Spurr,
Bush,	Martin,	Steele,

Devereux,
Hanson,
Harrison,
Hobbs,
Hoy,

Meriwether,
Mitchell,
Page,
Phillips,
Poor,

Stevenson,
Talbutt,
Tandy,
Young—29.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Sinking Fund—A bill for the benefit of A. G. Botts, assignee of James Ray.

By Mr. Cobb—A bill appointing Commissioners of the Goose Creek Salt Works road.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The amendments proposed by the Senate, to bills from this House of the following titles, viz:

An act to incorporate a company to construct a turnpike road from Burlington to Florence, in Boone county.

An act for the benefit of certain Common Schools in this Commonwealth. Were twice read and concurred in.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution from this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Martin Fugate, late sheriff of Pendleton county.

An act for the benefit of W. G. Simpson, H. Todd, H. H. Calvért, and for other purposes.

An act for the benefit of Christopher C. Lillard and others, sheriffs of Anderson county.

An act for the benefit of the sheriff of Owsley county.

An act for the benefit of the town of Portland.

An act for the benefit of Clinton Nash.

An act to amend an act, entitled, an act to incorporate the Cumberland Female Academy, and for other purposes, approved 1st February, 1837.

An act to change the names of Elizabeth McFall and others.

An act for the benefit of Elizabeth Shoemaker.

An act for the benefit of Taylor Pember.

An act for the benefit of A. P. Churchill, and others.

An act to amend an act, entitled, an act to incorporate the town of Independence.

An act for the benefit of John Cottingham and wife.

An act for the relief of emigrants.

An act to regulate the appointment of Trustees for the Knox County Seminary, and for other purposes.

An act for the benefit of Henry G. Mitchell, of Warren county.

An act for the benefit of Thomas May and George B. Adams.

A resolution for firing two National Salutes on the 22d of February.

And bills which originated in the Senate of the following titles, viz :

An act to establish a town on the lands of George Bowling, of Breathitt county.

An act for the benefit of the sheriff of Mercer county.

An act to authorize the Trustees of the town of Crab Orchard to erect a jail in said town.

An act to amend an act, entitled, an act to establish the Mechanics' Institute and Savings Institution of the city of Lexington, approved February 20, 1840.

An act concerning the town of Lafayette, in Christian county.

An act legalizing the official acts of Jackson Combs, surveyor of Perry county.

An act for the benefit of M. M. Wall, of Logan county.

An act declaring "The Plough Boy," a paper printed in the town of Richmond, a public authorized newspaper of this State.

An act allowing an additional Justice of the Peace to Breckinridge county.

An act for the benefit of Hall Anderson.

An act authorizing the Trustees of McKendree Chapel to sell the same.

An act to amend an act, entitled, an act for the benefit of Louisa M. Coleman, and Charles H. Kenner, and Marcus M. Kenner, approved January 29, 1846.

An act to change the time of holding the Clay circuit court.

An act declaring a forfeiture of the charter of the Licking River Navigation Company.

An act for the benefit of the clerk of the Hickman court.

An act to incorporate the town of Neetsville, in Adair county.

An act to incorporate the Louisville Rolling Mill Company.

An act for the benefit of Henry G. Mitchell, Leander A. Mitchell and John Mitchell.

An act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company.

An act for the benefit of the administrator and heirs of Henry Durrett, deceased.

An act for the benefit of Thomas Merimee and Prudence Shadburn.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. Waller, from the committee to whom was referred the bill to remodel and establish permanently, the system of Common Schools in this Commonwealth, and the amendments proposed thereto by the committee of the whole, reported the same with an amendment, as a substitute for said bill and amendments.

Which was concurred in.

The said bill, as amended, reads as follows, viz:

THE SUPERINTENDENT.

SEC. 1. The First Auditor shall be the Superintendent of Public Instruction, and shall superintend the organization and operation of the system of schools hereby established, and, by correspondence and otherwise, keep himself constantly advised of the condition of the schools in the several districts and counties, and of the prospect and progress of the system in the different sections of the State. He shall, by all the means within his power, recommend and organize the system, and exert himself to remove all obstacles to its adoption and success. He shall be the President of the Board of Education, and, by and with their advice, shall appoint the County Superintendents and remove them at his pleasure. During the month of December, in each year, he shall make out a table showing the distributive share of the interest on the School Fund to which each county in the State is entitled, according to the relative number of children therein between the ages of five and sixteen, which shall be published for the use of the County Superintendents, and forwarded to them on or before the first day of January. Under the direction of the Board of Education, he shall, on the first Monday of February, check in favor of the Superintendent of each county for the sum said county is entitled to, under the terms hereafter prescribed; and shall keep the account of each county in a book provided for that purpose; and any surplus of the fund raised by this act, remaining at the end of each year, shall be vested by the Superintendent, under the direction of the Board of Education, in State bonds or stocks of either of the Banks in Kentucky, which shall be held in the name of said Board, and deposited in the office of the Superintendent. The interest on this investment shall be regularly received by the Superintendent, and credited by him to each county entitled thereto, in proportion to their respective claims on the original surplus fund, and distributed as the Board may direct. The Superintendent shall prepare and publish an annual report to the Legislature, within ten days after it meets, giving an accurate view of the condition of the Common Schools, and of the funds, and making such suggestions for the improvement and increase of both as he may deem useful. And to enable the First Auditor to perform properly the additional duties imposed by this act, he is hereby allowed postage and necessary incidental expenses, together with a clerk whose salary shall be five hundred dollars per annum.

THE BOARD OF EDUCATION.

SEC. 2. The Superintendent of Public Instruction, Secretary of State, and Second Auditor, shall be and are hereby constituted a body politic and corporate, by the style of "the Board of Education for the State of Ken-

tucky," having perpetual succession; which may hold and possess money, stocks, and property of any kind, for the use of Common Schools; may sue and be sued, plead and be impleaded, defend and be defended, in all Courts of record, or any other place whatever; and also, may make, have and use a common seal, and break, alter and renew the same at pleasure, and generally do all acts and things which a corporation may lawfully do. All bonds, notes, obligations, transfers, or other instruments made or ordered by the Board, shall be signed by the President, and when necessary, sealed with the corporate seal; and the Board shall always be subject to Legislative modification or repeal. It shall be the duty of the Board to meet at least once every month, to examine and pass upon all reports, and make all rules, by-laws and orders, not inconsistent with this act, which they may deem necessary for the full development and organization of this system in all its departments. A record shall be kept by the Superintendent of their proceedings, and they may publish any of said proceedings deemed advisable. They shall direct the amounts to be checked for by the Superintendent in favor of the County Superintendents, upon the following principles: If a county has six or more Common Schools in operation for three months in the year, outside of any city, then the whole dividend declared in favor of such county shall be paid over to the County Superintendent, to be distributed amongst all the schools in the county and city, in proportion to the numbers actually attending school; if a county has a less number of schools, the Board, being informed of the number of schools and scholars, shall determine what portion of the dividend for said county shall be paid over, which shall not be less than their proportion of the county dividend, but may be more, at the discretion of the Board; the balance shall, at the end of each year, be invested for the benefit of such county, in bonds or stocks, as above directed, as shall also, be the dividends due counties having no Common Schools.

COUNTY SUPERINTENDENTS.

SEC. 4. There shall be a County Superintendent for each county in the State, appointed as above stated, who shall execute bond, payable to the Board of Education, with good security, to be approved of by the Superintendent, filed in his office, in a penalty to be fixed by him, and conditioned for the faithful discharge of his duties. He shall arrange the school districts in his county, and no district shall contain less than twenty-five, nor more than one hundred children, between the ages of five and sixteen; he shall number, file a description thereof in the County Court Clerk's office and forward a copy to the Superintendent. He shall personally superintend the organization of all Common Schools in his county, and all elections and votes necessary in the districts, and on appeal from the Trustees, shall decide all difficulties therein as to the organization or management of the schools. He shall examine all persons presenting themselves as teachers, male and female; and if found of good moral characters, and of proper qualifications to teach, successfully, the usual branches of English Education, he shall give them a certificate to that effect; without which certificate from the Superintendent of the county in which the application to teach is made, no person shall be permitted to teach a Common School in any county of the State. He shall, on application of the Trustees, and on his failure to pay, the amount due may be recovered of him by warrant before a Justice of the Peace. He shall answer punctually all communications from the Su-

perintendent, report quarterly to him the condition of all the schools in the county, and on or before the first of December, each year, shall make an annual report of the number of districts in which schools have been kept; the length of time; the number of children, between the ages specified, in each district having a school; the average number at school in each district during the year; the cost of each scholar, per month; together with an accurate statement of the money distributed, the prospects of the system in the county, and such suggestions as to its improvement as he may deem proper. He and his successor or successors in office shall be a body corporate and politic, by the name of "the County Superintendent of Common Schools" of the county in which he resides, may sue and be sued, contract and be contracted with, shall receive from the Superintendent of Public Instruction, and distribute all sums paid him by said Superintendent, and hold, for the use of the Common Schools of his county, any money, stocks, and property, real and personal, to an amount not exceeding one hundred thousand dollars, acquired, distributed, granted or devised, the same to be under his control and management, subject to the supervision of the Superintendent of Public Instruction and the Board of Education. The County Commissioners under the present laws, shall, after the passage of this act, deliver to the County Superintendent of their respective counties, all books, papers and property in their possession, relating to their office; and in case of the removal or resignation of the County Superintendent, he shall deliver to his successor any money, books, papers or property remaining in his hands, belonging to his said office; and on failure of either to do so, they, or their legal representatives, shall be liable to a recovery, to the amount of the full value of the articles retained, and subject, also, to a fine not exceeding one hundred dollars. His compensation shall be one dollar and fifty cents for each day actually employed in laying off the districts, attending election, the organization or regulation of schools, or in the performance of any duty requiring his absence from home one day or more. This compensation shall be paid him out of the county levy, whenever he presents to the County Court the quarterly certificate of the Superintendent of Public Instruction, that he has faithfully performed his duties, and is entitled to receive the amount claimed.

TRUSTEES.

Sec. 6. The County Superintendent may appoint three Trustees for each district in the county, who shall remain in office, unless a majority of the qualified voters of the district shall meet on the first Saturday of April, of each year, and elect different Trustees. It shall be the duty of the Trustees to appoint a Clerk, who shall record their proceedings, attend all their meetings, and perform such other duties as may be required; they shall also appoint a collector to collect, by suit or otherwise, in the name of the Trustees, all sums due them or the teacher; and he shall be allowed five per cent. on all moneys collected by him. The Trustees may admit all persons into the school between the ages of five and twenty-one, and shall select a teacher or teachers, male or female, for the district; purchase or receive gifts of land, not exceeding two acres, and provide for the erection of a school house, superintend the management of the school, provide furniture and fuel, make repairs, and sue for and recover any damages to the premises. They are hereby created a body politic and corporate, with power to sue and be

sued, contract and be contracted with, and do whatever else is necessary to carry out and enforce their rights and duties. All moneys received by them, and not expended during the year, shall go into the account of the succeeding year, and be reported by them to the County Superintendent. They shall have power to procure a Common School Library, and make every necessary regulation concerning it. On or before the 10th day of November, in each year, they shall report to the County Superintendent the whole number of children, between the ages of five and sixteen, residing in the district; the number taught at school; the amount of money received and disbursed, and the length of time a school has been taught, during the year. The County Superintendent shall fill any vacancy occurring in the Board of Trustees; and any Trustee failing to perform his duty, shall be liable to a fine of five dollars, or if the Trustees fail to report to the County Superintendent, they shall be liable to a fine of five dollars each; which fines shall be recoverable, on motion of the County Superintendent, before any Justice of the Peace of the county, and shall be applied by him for the benefit of the School Library. When the term of the Trustees expire, which shall be on the first Saturday of April, in every year, they shall promptly deliver all books, accounts, papers, money and property to their successors, together with a full inventory thereof, and on failure, a recovery, in the name of the new Trustees, may be had, after ten days' previous notice, on motion before a Justice of the Peace.

ORGANIZATION OF DISTRICTS AND SCHOOLS.

SEC. 7. The districts shall be adapted, as nearly as possible, to the conveniences and wishes of the people, and the geography of the country. Where a county line intersects a neighborhood whose convenience may require a district organized of parts of two or more counties, the district may be so formed, and the report made from the county in which the school house is located; and the number of children on each side of the line shall be noted in the report, and charged to the proper county.

SEC. 8. So soon as the citizens of any school district shall raise, by subscription or otherwise, as they may determine, money or property sufficient, with their proportion of the School Fund, hereby appropriated, to maintain a school for the term of three months, and have it taught by a competent teacher, such district, after its organization, shall be entitled to its distributive share, as heretofore provided for, and upon the report of the Trustees to the County Superintendent, agreeably to this act, shall receive the same; but no money shall be appropriated by the Superintendent of Public Instruction till the County Superintendent reports to him the number of districts in his county, of children in each district, of the ages specified, and of the number of schools in operation, or prepared to go into operation.

SEC. 9. The Commissioners of Tax shall take in the number of children in the county, between the ages of five and sixteen, subject to a fine of twenty dollars for failure to do so, to be deducted out of their compensation.

SEC. 10. This act, as to districting, is not to apply to the cities of Louisville, Lexington and Maysville, which cities shall be considered as having adopted this system, so long as they maintain Public Schools; and they shall be entitled to the benefits of this act, on report of the agent of Public

Schools of said cities, in conformity to the requisitions herein; and the amounts due them shall be paid by the Superintendent of Public Instruction to the Mayor and Council, for the use of their Public Schools.

THE FUND.

SEC. 11. The interest on the sum of eight hundred and fifty thousand dollars of the surplus revenue of the United States, deposited with this State, heretofore set apart for the benefit of Common Schools, together with all the bank stock heretofore purchased by the interest accruing on the same, now owned by the State, or which may hereafter be purchased by the same means, or otherwise funded or derived from the sale of State bonds issued to the Board of Education, or any other funds which may be hereafter appropriated for the same purpose, shall be and the same is hereby set apart and faithfully dedicated forever, as a fund for the benefit of Common Schools and a system of general instruction in the State of Kentucky; to the benefits of which the several counties in this State shall be entitled, in proportion to the number of children therein, between the ages of five and sixteen, on the terms and conditions as set forth in this act.

SEC. 12. To provide, in part, for the payment of the interest on the said fund, twenty thousand dollars are hereby appropriated, out of any moneys not otherwise appropriated, for the benefit of the system hereby established, for the current year, which shall be placed to the credit of the Superintendent of Public Instruction, in the Branch of the Bank of Kentucky, at Frankfort.

SEC. 13. That all acts or parts of acts, within the purview of this act, and all acts in relation to Common Schools, be and the same are hereby repealed, reserving all rights of property, and obligations acquired under the same.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of the bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Morton and Owens, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Fletcher,	Mitchell,
Messrs. Abell,	Glenn,	Owens,
Armstrong,	Graves,	Page,
Bell,	Haggard,	Pearl,
Botts, W. S.	Hager,	Phillips,
Bowman,	Hanson,	Poor,
Bradford,	Hay,	Procter,
Bush,	Hord,	Purdum,
Cobb,	Ireland,	Reed,
Crawford,	Irvine, J.	Rhea,
Crockett,	Johnston,	Riddle,
Desha,	Mansfield,	Rouse,
Dickerson,	Marshall,	Spurr,

Durbin,
Elliott, J.
Elliott, M.
English,
Evans,

Martin,
Mayhall,
McArthur,
McCallister,
Meriwether,

Talbutt,
Tandy,
Waller,
Williams,
Young—54.

Those who voted in the negative, were—

Messrs. Alexander,
Alnut,
Beeler,
Board,
Botts, A. G.
Bowmar,
Brown,
Clarke,
Covington,
Devereux,

Gilbert,
Harrison,
Jones, J. R.
Jones, W. L.
Jordan,
McHenry,
Morton,
Munford,
Oglesby,

Salter,
Smith,
Soery,
Spalding,
Thomas,
Vertress,
Wade,
Wortham,
Wright—28.

Resolved, That the title thereof be as aforesaid.

Mr. Haggard, from the committee on Agriculture and Manufactures, to whom was referred a bill from the Senate, entitled, an act to prevent the wanton destruction of fish, reported the same with amendments, which were concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Fletcher moved the following resolution, viz:

WHEREAS, it is represented that James Lampton, the lessee of the Owingsville and Big Sandy Turnpike Road, has failed to comply with the provisions of his contract with the State, by keeping said road in good repair, and to pay over to the individual stockholders the dividends to which they are respectively entitled. Therefore,

Resolved, That the Board of Internal Improvement enquire whether such charges are true, and whether some plan cannot be devised to keep the said road in good order, by contract with different persons, for the repairing of different parts of the road, or by agreement with the respective counties through which it is located; and that the said Board have full power, on the part of the State, to rescind the contract with the said James Lampton, and to make such contract or arrangement for the future repairing and keeping said road, bridges and culverts in good order, as the said Board may deem advisable and most consistent with the interest of the company and of the Commonwealth.

Which was adopted.

And then the House adjourned.

TUESDAY, FEBRUARY 22, 1847.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act to incorporate the Cynthiana and Millersburg Turnpike Road Company.

That they had passed bills from this House of the following titles, viz:

An act to incorporate the Carlisle and Sharpsburg Turnpike Road Company.

An act to allow an additional Justice of the Peace to the county of Spencer.

An act authorizing Greenberry Reynolds to erect a mill dam on Salt river.

An act for the benefit of James O'Hara, deputy Sheriff of Grant county.

An act to incorporate the Germantown Circulating Library Company.

An act authorizing the County Court of McCracken to sell the Seminary lands belonging to said county.

An act for the benefit of the Maysville Guards.

An act for the benefit of John M. Morten.

An act for the establishment of fish traps.

With an amendment to the last named bill.

That they had passed a bill, entitled, an act authorizing the Frankfort Cemetery Company to convey a portion of its grounds to the State of Kentucky.

That they had received official information from the Governor, announcing that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to provide for a change of venue in the prosecution against Joseph H. Coleman.

An act for the benefit of the sheriff of Hopkins county.

An act requiring the clerk of the Green county court to qualify William B. Carlisle as sheriff of said county.

An act allowing an additional Justice of the Peace to Caldwell county, and for other purposes.

An act for the benefit of the town of Smithland.

An act for the benefit of Elizabeth Bault, of Adair county.

An act to divorce Letitia Ann Casey, and to restore her to her maiden name.

An act divorcing Catharine W. Hutchison from her husband, Parker N. Hutchison.

An act for the benefit of Jonathan Williams.

An act for the benefit of James Miller, of Adair county.

An act to legalize the proceedings of the Green county court in appointing William B. Allen, administrator of John H. Aikin, deceased.

An act for the benefit of the Trustees of the town of Poplar Plains.

An act to repeal the law authorizing deeds to be recorded in the clerk's office of the Court of Appeals and General Court.

An act to allow an additional constable to Boone county.

An act to give further time to make surveys and return plats and certificates, on Kentucky Land Office warrants, to the Register's Office.

An act allowing additional constables to certain counties.

Approved February 13, 1847.

An act authorizing a special chancery term of the Garrard Circuit Court.

Approved February 15, 1847.

A resolution fixing a day for the election of Public Officers.

Approved February 13, 1847.

Mr. Alnut presented the petition of B. C. Blincoc, praying that the costs paid by him on a judgment against him and others, be refunded.

Which was received, the reading dispensed with, and referred to Messrs. Alnut, Spurr and Board.

Mr. Haggard, from the committee on Agriculture and Manufactures, to whom was referred the memorial in relation to a Geological Survey of the State, asked to be discharged from the further consideration thereof; which was granted.

Mr. Hobbs, from the committee on the Sinking Fund, made the following report, viz:

The committee on the Sinking Fund, to which was referred a resolution of enquiry upon the subject of the manner in which the tolls received on the Kentucky river had been kept, &c., respectfully report: that they examined the Collector on oath, and also examined several witnesses, and find that the present Collector has been a faithful officer, and has discharged the duties of his office faithfully, and to the entire satisfaction of the Board of Internal Improvement, from which he holds his office—and that he faithfully and promptly paid over and settled with said Board, in the way and at such times as it desired. It was in proof before us, that the Collector, in fact, had desired more frequent settlements than he was required to make by the board. The committee would further add, that it appeared that as money was received by the Collector, he placed it to the credit of his general account in Bank, and although the Collector frankly admitted that he had, on some occasions, lent for a few days, some five hundred dollars of the money he had received for tolls, but he had never received or charged any thing therefor. The committee would report, that the Collector had executed bond with security, for all such moneys as he might receive; and while we are constrained to say that in strict propriety, this should not have been done, yet they were fully satisfied that the Collector had been prompted in the matter, by a kind feeling towards his friends, and with no desire to speculate on the funds in his trust. The committee is aware that it is a very

common thing for gentlemen, under similar circumstances, to take these liberties. But they are unanimously of opinion that a law should be passed, requiring the Collector to pay into the Treasury, at the end of each week, the tolls received by him, and herewith report a bill to that effect. In further reply to said resolution as to the propriety of abolishing the office of Collector, and making it the duty of one of the Auditors to receive and collect tolls—we report, that neither of the Auditors could attend to these additional duties, unless they were allowed additional help in the way of a Clerk, which Clerk would cost the State as much as is paid to the Collector; and besides, we think that the public convenience demands that the Collector should live near the river, and therefore we are of opinion that the office of Collector, as it now exists, should not be abolished.

EDW. D. HOBBS, *Chairman*,
MILFORD ELLIOTT,
JOSEPH T. SMITH,
HENRY R. D. COLEMAN,
JOHN E. MCCALLISTER,
W. L. JONES.

Mr. Haggard, from the committee on Agriculture and Manufactures, reported a bill to prevent the malpractice of empyrical and quack physicians, and for other purposes: which was read the first time.

And the question being taken on reading said bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. Hobbs, from the committee on the Sinking Fund, to whom was referred a bill from the Senate, entitled, an act to amend the charter of the city of Lexington, reported the same with an amendment; which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hobbs, from the same committee, to whom was referred a bill to regulate the compensation of Clerks in this Commonwealth, reported the same without amendment.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the Clerks of the Circuit Courts of this Commonwealth, to make out and transmit to the Second Auditor, on or before the first day of December of each year, a full and accurate statement, verified by oath, before the Judges of the respective Courts, and certified by him, of all fees taxed up and due to said Clerks during the preceding twelve months, and of all amounts received for fees during that time; and they shall, also, spread on the order book of said Court, an exact copy of said statement.

Sec. 2. It shall be the duty of the Second Auditor to embody in his annual report to the Legislature, a succinct statement of the annual amounts of fees thus reported to him by the different Clerks aforesaid.

Sec. 3. The Clerks of the Circuit and County Courts of this Commonwealth shall receive, as heretofore, as compensation for their services, the fees of their respective offices, whenever the same shall not exceed the sum of \$1,200; but if the fees of the office exceed that sum, they shall only be entitled to one half the surplus, and the other half shall be paid into the Sinking Fund.

Sec. 4. It shall be the duty of the said Clerks, to make out their fee bills after each Court, and place all which may remain unpaid for thirty days, into the hands of the Sheriffs of the respective counties, who shall proceed to collect the same, and report and pay over to the said Clerks, as soon as practicable.

Mr. Hanson moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Haggard, were as follows, viz :

Those who voted in the affirmative, were—

Mr. Speaker,	Hay,	Phillips,
Messrs. Alexander,	Hobbs,	Poor,
Armstrong,	Hoy,	Reed,
Botts, A. G.	Ireland,	Rhea,
Botts, W. S.	Irvine, D.	Riddle,
Bowman,	Irvine, J.	Rouse,
Clarke,	Johnston,	Soery,
Crockett,	Jones, W. L.	Spurr,
Desha,	Jordan,	Stevens,
Devereux,	Mansfield,	Stevenson,
Elliott, J.	Martin,	Talbutt,
English,	McArthur,	Tandy,
Fletcher,	McCallister,	Thomas,
Haggard,	McHenry,	Thompson,
Hager,	Meriwether,	Vertress,
Hall,	Morton,	Williams,
Hanson,	Owens,	Wright,
Harrison,	Page,	Young—54.

Those who voted in the negative, were—

Messrs. Abell,	Evans,	Pearl,
Alnut,	Foley,	Proctor,
Beeler,	Gilbert,	Purdum,
Bell,	Glenn,	Salter,
Board,	Graves,	Smith,
Boyd,	Hord,	Steele,
Bradford,	Jones, J. R.	Towles,
Brown,	Mayhall,	Wade,
Bush,	Mitchell,	Waller,

Crawford,
Covington,
Elliott, M.

Moore,
Oglesby,

White,
Wortham—34.

Mr. Hobbs, from the same committee, to whom was referred leave to bring in a bill to limit the sale of spirituous liquors in Greenup county, asked to be discharged from the further consideration thereof, which was granted.

Mr. Stevenson, from the committee on Internal Improvement, made the following report, viz:

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Williams, from the committee on Federal Relations, to whom was referred the message of the Governor, enclosing resolutions of the State of Missouri, in relation to the pay of the volunteers, asked to be discharged from the further consideration thereof; which was granted.

Mr. Williams, from the same committee, read and laid on the table the following resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Constitution of the United States ought to be so amended as to enable a majority of all the members elected to both branches of Congress, to pass or repeal a law, the objections of the President of the United States to the contrary notwithstanding.

Resolved, That our Senators in Congress be instructed; and our Representatives be requested, to bring the subject of the amendment of the Constitution of the United States, before Congress, and urge the propriety of an amendment such as contemplated by the above resolution.

Resolved, That the Governor of this Commonwealth be requested to forward to the Governors of each of the States of this Union, a copy of the foregoing resolutions, to be by them laid before their respective Legislatures, and that he also forward a copy of said resolutions to each of our Senators and Representatives in Congress.

The House resumed the consideration of the bill for the benefit of James Jackman.

The question was then taken on the passage of the bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. McHenry and Purdom, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
Alexander,
Alnut,
Board,
Boyd,

Hanson,
Harrison,
Hoy,
Ireland,
Johnston,
Mansfield,

Riddle,
Rouse,
Smith,
Soery,
Spurr,
Steele,

Cobb,
Dickerson,
Elliott, J.
Elliott, M.
Evans,
Fletcher,
Foley,
Glenn,
Graves,
Haggard,
Hager,

Marshall,
Martin,
Mayhall,
McCallister,
Moore,
Oglesby,
Owens,
Pearl,
Poor,
Purdum,
Reed,

Stevenson,
Stewart,
Tandy,
Thompson,
Towles,
Vertross,
Waller,
Williams,
Wortham,
Wright,
Young—51.

Those who voted in the negative, were—

Messrs. Armstrong,
Beeler,
Ball,
Botts, A. G.
Botts, W. S.
Bowmar,
Bradford,
Brown,
Clarke,
Crawford,
Devereux,

Durbin,
Gilbert,
Hay,
Hobbs,
Hord,
Irvine, D.
Irvine, J.
Jones, W. L.
Jordan,
McArthur,
McHenry,

Meriwether,
Mitchell,
Munford,
Page,
Phillips,
Rhea,
Stevens,
Talbutt,
Thomas,
Wade—32.

Resolved, That the title thereof be as aforesaid.

Mr. Fletcher moved a reconsideration of the vote adopting the preamble and resolutions proposed by him on yesterday.

And the question being taken thereon, it was decided in the affirmative.

The said resolution was then amended.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

The said preamble and resolutions was twice read and adopted.

Mr. Meriwether, from the committee on Propositions and Grievances, reported a bill to add a part of the county of Morgan to the county of Johnson, which was read the first time.

And the question being taken on readingsaid bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. Meriwether, from the same committee, reported a bill to repeal the act prohibiting the sale of spirituous liquors in Lagrange, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act, entitled, "an act to prevent the sale of spirituous liquors within the town of Lagrange and one mile therefrom," approved January 29, 1846, be and the same is hereby repealed.

Mr. W. S. Botts moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Armstrong and Oglesby, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Haggard,	Phillips,
Alnut,	Hager,	Procter,
Bell,	Hall,	Riddle,
Board,	Hanson,	Smith,
Botts, W. S.	Hay,	Soery,
Bowmar,	Hord,	Spalding,
Bradford,	Hoy,	Steele,
Brown,	Irvine, J.	Stevens,
Clarke,	Jones, J. R.	Stevenson,
Cobb,	Jones, W. L.	Thomas,
Crawford,	Jordan,	Thompson,
Crockett,	Mayhall,	Vertress,
Covington,	McArthur,	Waller,
Durbin,	McHenry,	Williams.
Elliott, M.	Mitchell,	Wortham,
Gilbert,	Munford,	Young—50.
Glenn,	Page,	

Those who voted in the negative, were—

Messrs. Abell,	Ireland,	Purdum,
Armstrong,	Irvine, D.	Reed,
Beeler,	Johnston,	Rouse,
Botts, A. G.	Mansfield,	Salter,
Bowman,	Marshall,	Spurr,
Bush,	Martin,	Talbutt,
Dickerson,	Meriwether,	Tandy,
English,	Morton,	Towles,
Evans,	Oglesby,	Wade,
Foley,	Owens,	Walker,
Hobbs,	Poor,	White—33.

Mr. Meriwether, from same committee, to whom was referred a bill from the Senate, entitled, an act changing the line, in part, between the counties of Boone and Kenton, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Meriwether, from the same committee, to whom was referred the petition of sundry citizens of Logan county, praying to be added to the county of Simpson; the petition of sundry citizens of Caldwell county, praying for a division of said county, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Meriwether, from the same committee, to whom was referred the petition of sundry citizens of Hancock county, praying for the discontinuance of a State road, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Meriwether, from the same committee, to whom was referred the petition of sundry citizens of Hickman county, praying the removal of the Seat of Justice of said county, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Meriwether, from the same committee, to whom was referred the petition of Elizabeth Ratliff, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. D. Irvine, from the committee on Banks, made the following report, viz:

[For Report—see *Legislative Documents*.]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Meriwether, from the committee on Propositions and Grievances, to whom was referred a bill from the Senate, entitled, an act to change the Russell and Clinton county line, reported the same without amendment.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the county lines of Russell and Clinton, be so changed, to-wit: Beginning where the present Clinton line leaves the Cumberland river, on the south side, at the lower end of the Salt Lick bottom, thence up said river, passing John Grider's ferry, one quarter of a mile above the mouth of Buck Lick creek, the distance from the beginning one mile and a half; thence a south east course, so as to include Robert Man, Jr., Robert Man, Sr., and James Elmore's; thence a south west course to the Clinton line.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was taken on the passage of said bill and decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Ogelsby and Owens, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Armstrong,
Board,
Botts, W. S.
Bowmar,
Bradford,
Brown,

Hall,
Hanson,
Hobbs,
Hord,
Hoy,
Jones, J. R.

Phillips,
Procter
Rouse,
Steele,
Stevenson,
Stewart,

Bush,
Cobb,
Crawford,
Dickerson,
Foley,
Gilbert,
Glenn,
Haggard,
Hager,

Jones, W. L.,
McCallister,
McHenry,
Meriwether,
Moore,
Morton,
Page,
Pearl,

Talbutt,
Thompson,
Vertress,
Walker,
Waller,
White,
Williams,
Wortham—43.

Those who voted in the negative, were—

Messrs. Alexander,
Alnut,
Beeler,
Bell,
Botts, A. G.
Bowman,
Clarke,
Crockett,
Covington,
Devereux,
Elliott, J.
Elliott, M.
English,
Evans,
Fletcher,

Graves,
Hay,
Ireland,
Irvine, D.
Irvine, J.
Johnston,
Jordan,
Marshall,
Martin,
Mayhall,
McArthur,
Mitchell,
Munford,
Oglesby,

Owens,
Poor,
Purdum,
Reed,
Rhea,
Riddle,
Smith,
Soery,
Spalding,
Spurr,
Stevens,
Tandy,
Thomas,
Young—44.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions which originated in this House, of the following titles, and had found the same truly enrolled.

An act to incorporate a company to construct a turnpike road from Burlington to Florence, in Boone county.

An act for the divorce of Louisa Hagin.

An act to divorce Cyrus Pharis from his wife, Mary Pharis.

An act to authorize the county court of Grayson to change the State roads in said county.

An act to change the names of Thomas and Jane Holder, John and Lucy M. Bradley, John S. Cocks, Polly Bowls, and Rebecca A. Chevalier, and her children.

An act for the benefit of the Baptist Church, at Fish Pools, in Jefferson county.

An act for the benefit of the sheriff of Union county, and for other purposes.

An act to incorporate the towns of Pikeville and Paintsville.

An act to incorporate a company to be called "The Ohio Line."

An act for the benefit of the Covington and Lexington Turnpike Company.

An act to incorporate the Georgetown and Paris Turnpike Road Company.

An act for the benefit of David and Opie J. Lindsey, Trustees under the will of Thomas Lindsey, deceased.

An act authorizing the county court of Nicholas to change or discontinue a State road.

An act authorizing the sale of the Upper White Oak Church, in Bath county.

An act to establish the town of Cornishville.

An act to amend the charter of the Louisville Turnpike Road Company.

An act to allow an additional constable to Pulaski county.

Resolutions complimentary to General Taylor and the officers and soldiers under his command, and for other purposes.

Resolutions for presenting the widow of the late Philip Norbourn Barbour a sword, and for the interment of his remains in the Frankfort Cemetery.

And bills which originated in the Senate, of the following titles, viz:

An act to incorporate the faculty of the Western Military Institute.

An act to authorize the Trustees of the New Athens Seminary, in Greensburg, to convey the same to the Trustees of said town.

An act to amend the several acts in relation to the Lexington, Nicholasville, Danville and Lancaster Turnpike Road Company.

An act for the benefit of Phoebe T. Wilkerson.

An act to incorporate the Cynthiana and Millersburg Turnpike Road Company.

An act to incorporate the Kentucky Female Orphan School.

An act to change the name of the Mechanics' Savings Institution of Louisville.

An act for the benefit of Jane S. Stewart, William J. Walker and his wife, Susan B. Walker, and the infant heirs of Daniel Stewart, deceased.

An act to run and establish the line between the counties of Livingston and Caldwell.

An act to amend the charter of the town of Harrodsburg.

An act for the benefit of John Green, former sheriff of Henderson county, and for other purposes.

An act for the benefit of Samuel D. McCullough and his securities.

An act to change the time of holding the spring courts in Pike and Floyd, and to change the time of holding the Lawrence and Morgan county courts.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. Meriwether, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill for the benefit of M. R. Stea-

ley, asked to be discharged from the further consideration thereof, which was granted.

Mr. Wortham, from the committee on Privileges and Elections, reported a bill to limit elections in Carroll county to one day.

Which was read the first time.

On motion of Mr. Mayhall,

Ordered, That said bill be laid on the table.

Mr. Wortham, from the same committee, to whom was referred a bill from the Senate, entitled, an act to change the place of voting from Seaton Lee's, in Pulaski county, and for other purposes, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with.

Resolved, That said bill do pass, and that the title be amended to read, "an act to change the place of voting in an election precinct in Bullitt and Boyle counties."

Mr. Wortham, from the same committee, to whom was referred the petition of sundry citizens of Harrison county, praying a change in the place of voting in an election precinct in said county, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to incorporate the Licking and Lexington Railroad Company.

An act for the benefit of Charles Cains.

With amendments to each.

A message was received from the Senate, asking leave to withdraw their report announcing their disagreement to a bill from this House, entitled, an act to amend the law on the subject of apprehending runaway slaves, which was granted, and the same was withdrawn.

Ordered, That the amendments proposed by the Senate, to a bill from this House, entitled, an act for the benefit of Charles Cains, be referred to the committee on Claims.

Mr. McHenry, from the committee on the Judiciary, reported a bill to repeal an act, entitled, an act to regulate the administration and settlement of estates.

Which was read the first time as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled, an act to regulate the administration and settlement of estates, approved 20th February, 1839, shall be and the same

is hereby repealed, excepting so far only as may be necessary to save and enforce all vested rights which have accrued under said act.

Sec. 2. That all laws repealed by the said act, shall be and the same are hereby revived.

Sec. 3. That the space of twelve months, from and after the passage of this act, shall be allowed to all creditors, having vested rights under said act, to within which he, she, or they, may require any executor or administrator to file a bill for marshalling the assets among creditors, according to the provisions of said act. If no such creditor or creditors shall, within twelve months after the passage of this act, by written notice, demand of any executor or administrator to file a bill according to the provisions of said act, the said act shall not be regarded as applicable to the settlement of such estate; but same shall be settled as though said act had not passed.

Mr. Williams moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Crockett and Bowman, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,	Hay,	Phillips,
Botts, A. G.	Hobbs,	Poor,
Botts, W. S.	Hord,	Procter,
Bowmar,	Hoy,	Purdom,
Clarke,	Ireland,	Rhea,
Cobb,	Irvine, D.	Riddle,
Crawford,	Irvine, J.	Salter,
Durbin,	Jones, J. R.	Soery,
Elliott, J.	Jordan,	Spurr,
Elliott, M.	Mansfield,	Stewart,
Evans,	Martin,	Talbutt,
Foley,	McArthur,	Thompson,
Glenn,	Mitchell,	Towles,
Graves,	Oglesby,	Vertress,
Hall,	Owens,	Walker,
Hanson,	Page,	White,
Harrison,	Pearl,	Williams—51.

Those who voted in the negative, were—

Mr. Speaker,	Covington,	Munford,
Messrs. Abell,	Desha,	Reed,
Alexander,	Devereux,	Rouse,
Armstrong,	Dickerson,	Smith,
Beeler,	English,	Spalding,
Bell,	Fletcher,	Steele,
Board,	Gilbert,	Stevens,
Bowman,	Hager,	Tandy,
Bradford,	Johnston,	Thomas,
Brown,	Mayhall,	Wade,
Bush,	McHenry,	Wortham,
Crockett,	Meriwether,	Young—36.

Mr. McHenry, from the committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz :

An act for the benefit of the heirs of James Frazier, deceased.

An act for the benefit of the heirs of S. H. Anderson, deceased.

An act regulating the sales of forfeited lands, and applying the statute of limitation in certain cases

An act for the benefit of the heirs of Isaac Sprake, deceased.

An act to incorporate the Springfield Lodge, and the Washington Royal Arch Chapter.

An act to incorporate the town of Springfield, in Washington county.

An act for the benefit of Ann Daviess and her children.

An act for the benefit of Nancy Pointer.

An act for the benefit of Silas M. Berry and others.

An act to amend the law in relation to summoning guards.

An act for the benefit of William P. Mitchell.

An act giving additional powers to the Trustees of the town of Princeton, in Caldwell county, and for other purposes.

An act to incorporate the Trustees of the Presbyterian Church, in Frankfort.

An act to provide for a change of venue in the prosecution against Richard S. Mason.

An act to provide for a change of venue in the prosecution against Polly Fenton.

An act for the benefit of George Dixon, of Nelson county.

An act for the benefit of the heirs of Daniel Barksdale, deceased.

An act for the benefit of the heirs of Thomas Anderson, deceased.

An act for the benefit of Martha Elizabeth Cleaveland.

An act for the benefit of Alfred Payne.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred a bill from the Senate, entitled, an act to amend the law in relation to the binding out of poor children in this Commonwealth, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred a bill from the Senate, entitled, an act to add an additional term to the Mason, Adair and Fleming circuit courts, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read as follows: "An act to add an additional term to the Mason and Adair circuit courts."

Mr. McHenry, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act to incorporate the town of Harrisonville, in Shelby county.

An act to regulate the number of Justices of the Peace in the town of Greensburg.

Reported the same with amendments to each, which were concurred in.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred bills of the following titles, viz:

An act to amend the charter of the town of Newport.

An act for the benefit of Jeff. Evans, of the county of Greenup.

Reported the first without, and the latter with, an amendment, which was concurred in.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Military Affairs—1. A bill making an appropriation to the militia of Floyd county, called out by order of court under General Hager.

By the committee on Agriculture and Manufactures—2. A bill to regulate the price of vacant land in Clay county.

By same—3. A bill to allow the burning of the woods in a portion of Clay county.

By same—4. A bill regulating the mode of appointing a Salt Inspector of the city of Louisville, and for other purposes.

By Mr. Haggard—5. A bill to reduce the price of public lands in Adair county.

By the committee on the Sinking Fund—6. A bill to amend an act prescribing the further duties of the Board of Internal Improvement, approved February 23, 1846.

By Mr. Alexander—7. A bill to allow an additional Justice of the Peace to Meade county.

By the committee on Propositions and Grievances—8. A bill to extend the limits of the town of Irvine.

By same—9. A bill to establish the road law of Jefferson county.

By same—10. A bill to incorporate the town of Booneville, in Owsley county.

By same—11. A bill to repeal an act, entitled, an act to repeal in part the several acts concerning the town of South Frankfort, and for other purposes.

By same—12. A bill for the benefit of John W. Hazlerigg.

By the committee on Privileges and Elections—13. A bill to establish an election precinct at the House of John Eoff's, in the county of Pulaski, and for other purposes.

By same—14. A bill to change an election precinct, in the county of Henry, from the house of James Ethington to the House of N. L. Oliver.

By the committee on the Judiciary—15. A bill to authorize the Trustees of the Stone meeting house of the Methodist Church, in Jefferson county, to sell said house and lot.

By same—16. A bill for the benefit of William Calmes.

By same—17. A bill to amend the charter of the city of Covington.

By same—18. A bill to incorporate the town of East Maysville.

By same—19. A bill to incorporate the Presbyterian Church of Paducah.

By same—20. A bill to change the names of Eliza Jane Donaldson, and others.

By same—21. A bill for the benefit of James Buford and wife.

By same—22. A bill allowing the Trustees of Burksville to change an alley in said town.

By same—23. A bill for the benefit of Preston F. Samuels.

By same—24. A bill to extend the provisions of the mechanics' lien law of Louisville to the counties of Mercer, Marion, Trimble and Jessamine.

By same—25. A bill to suppress coffee houses in the town of Washington.

By same—26. A bill to allow an additional Justice of the Peace to Carter county.

By same—27. A bill giving further time to the administrator of John Trimble to list certain fee bills for collection.

By same—28. A bill allowing an additional Justice of the Peace to Bath county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills (except the 23d,) having been dispensed with; the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 24th, 25th, 26th, 27th and 28th bills were severally ordered to be engrossed and read a third time, and the 11th was referred to the committee on Propositions and Grievances.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 24th, 25th, 26th, 27th and 28th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the committee on the Judiciary, to whom was referred the bill to amend the law in civil proceedings, reported the same without amendment.

The question was then put, shall the bill be engrossed and read a third time?

And after some discussion had thereon,

The House adjourned.

WEDNESDAY, FEBRUARY 24, 1847.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act to prevent the wanton destruction of fish.

That they had disagreed to a bill from this House, entitled, an act to amend the charter of the turnpike road leading from the city of Louisville, by the mouth of Salt river and Elizabethtown, to the State line, and for other purposes.

That they had passed bills from this House of the following titles, viz:

An act allowing flat boats and other water crafts, laden with the products of Carroll county, to pass over the dam at Lock No. 1, on the Kentucky river, free of toll in time of high water.

An act further increasing the liabilities of sheriffs and coroners, and their securities.

An act for the benefit of the citizens residing on the middle fork of the Kentucky river, in Clay county.

An act for the benefit of James Renfro, of Knox county.

An act to amend the road law in the county of Bracken.

An act to authorize the county court of Campbell to change a State road.

An act to extend the mechanics' lien law of the city of Louisville, to the counties of Bourbon, Christian, Madison, Livingston, Shelby, Scott and Carroll.

An act to amend the law on the subject of apprehending runaway slaves.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act to amend an act to reduce into one the several acts concerning strays, approved February 10, 1798.

An act to amend the duelling laws.

An act for the benefit of Burriss A. Looman and W. G. Andrews Looman, of Fleming county.

An act to authorize the Superintendent of Public Instruction to make certain reports to the Second Auditor.

An act relating to the Penitentiary and requiring a new bond from the Keeper.

An act for the benefit of A. G. Kyle, of Mercer county.

An act authorizing the issue of State bonds for certain purposes.

That they had received official information from the Governor, announcing that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to authorize toll gate No. 3, on the Georgetown and Williamstown Turnpike Road, and for other purposes.

An act for the benefit of Ann L. Clements.

An act to establish and incorporate the town of Sherburn, in Fleming county.

An act for the benefit of John U. Watson and Pemberton Cave.

An act to appoint a commissioner to settle the accounts of the Superintendent of Public Instruction.

An act for the benefit of the devisees of Lewis Butler, deceased.

An act for the benefit of James Davidson, Treasurer.

An act for the benefit of Isham Thomas.

An act to permit flat boats and other crafts descending the navigable streams in this Commonwealth, from a point above the influence of slackwater, to pass over the dams free of toll.

An act for the benefit of James Jenkins, of Warren county.

An act for the benefit of the town of Winchester.

An act for the benefit of Philip Lightfoot and Isaiah Heston, late sheriffs of Breckinridge county.

An act to authorize a survey of the town of Mount Washington, and for other purposes.

Resolutions in relation to a modification of the tariff laws, so as to admit, duty free, books, &c. imported for the use of Colleges and Schools.

Approved February 17, 1847.

Mr. Talbut read and laid on the table the following resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Rev. Ryland T. Dillard has ably and efficiently discharged the duties of Superintendent of Common Schools, and that he has effected as much for the cause of education in the State, as could be done, acting as he has, under a system of Common Schools, deficient in its character, and imbecile for want of pecuniary means to carry it into practical operation.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

The said resolution was then twice read and adopted.

Mr. Alnut asked leave to bring in a bill for the benefit of the citizens of Owen county, which was granted.

Ordered, That Messrs. Alnut, Board and McArthur prepare and bring in the same.

The House resumed the consideration of the bill to amend the law in civil proceedings.

The said bill was then amended, and as amended reads as follows, viz :

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in all suits or actions at law hereafter tried before Justices of the Peace, or in the circuit courts of this State, arising from, or based upon, contract either express or implied, where the plaintiff or plaintiffs have sued more defendants or persons than are liable in law for the claim or contract set up in the declaration and writ, it shall and may be lawful for the plaintiff or plaintiffs, after the testimony or proof is gone through, and the court has determined that the action or suit is not maintainable against all the defendants, to abate the same or dismiss it as to the defendant or defendants against whom the action cannot be maintained, and proceed with the trial upon the merits, against the defendant or defendants against whom the court shall decide the action is maintainable.

SEC. 2. Be it further enacted, That in every case or suit at law, where the plaintiff or plaintiffs shall abate or dismiss the same against a portion of the defendants, as provided for in the first section of this act, the court shall render a judgment in favor of the defendant or defendants against the plaintiff or plaintiffs, for his, her or their costs expended in the defence; that where an abatement may be entered as to one or more of the defendants, either party may use such defendant as a witness, upon the trial.

SEC. 3. Be it further enacted, That where a plaintiff or plaintiffs have sued more than one person in an action of trespass, and the writ is returned not executed on all the defendants, and the court being satisfied that the de-

fendant or defendants upon whom the writ is not executed, have abandoned or left the Commonwealth or removed to some other county of the State, or at the time of the suing out of the writ, resided in some other county different from that in which the suit is brought, it shall and may be lawful for the plaintiff or plaintiffs to abate the same as to the defendant or defendants upon whom the process or writ is not served, and proceed to the trial against the defendant or defendants upon whom the writ is served.

Mr. Hanson moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Williams and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Ireland,	Riddle,
Armstrong,	Irvine, D.	Spurr,
Bell,	Jordan,	Steele,
Bowman,	McCallister,	Stewart,
Crockett,	McHenry,	Tandy,
Haggard,	Meriwether,	Thompson,
Hanson,	Mitchell,	Vertress,
Harrison,	Page,	Wortham,
Hay,	Reed,	Young—28.
Hobbs,		

Those who voted in the negative, were—

Mr. Speaker,	English,	Pearl,
Messrs. Abell,	Evans,	Phillips,
Alnut,	Foley,	Poor,
Board,	Gilbert,	Procter,
Botts, A. G.	Glenn,	Purdom,
Botts, W. S.	Graves,	Rhea,
Bowmar,	Hager,	Rouse,
Boyd,	Hall,	Salter,
Bradford,	Hord,	Smith,
Brown,	Hoy,	Soery,
Bush,	Irvine, J.	Spalding,
Clarke,	Johnston,	Stevens,
Cobb,	Jones, J. R.	Talbutt,
Crawford,	Mansfield,	Thomas,
Covington,	McArthur,	Wade,
Desha,	Moore,	Walker,
Devereux,	Morton,	Waller,
Dickerson,	Munford,	Wheeler,
Durbin,	Oglesby,	Williams,
Elliott, M.	Owens,	Wright—60.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and second and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Hanson moved to amend said bill by adding the following engrossed clause by way of rider, viz:

Be it further enacted, That if any plaintiff shall bring his suit in any action founded in contract, and discover, after the bringing of suit, that others than those sued are liable in the contract, then he shall add to the defendants those so discovered to be liable, and proceed as if they had been originally sued, provided process shall be first served on said new defendants.

Mr. Salter moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and McHenry, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hager,	Riddle,
Messrs. Alexander,	Hanson,	Rouse,
Alnut,	Hay,	Salter,
Armstrong,	Hobbs,	Soery,
Beeler,	Hord,	Spalding,
Bell,	Hoy,	Spurr,
Board,	Ireland,	Steele,
Botts, A. G.	Irvine, D.	Stevens,
Botts, W. S.	Jones, W. L.	Stevenson,
Bowman,	Jordan,	Stewart,
Bowmar,	Mansfield,	Tandy,
Brown,	McCallister,	Thomas,
Bush,	McHenry,	Thompson,
Coleman,	Meriwether,	Vertress,
Crockett,	Mitchell,	Wade,
Desha,	Munford,	Walker,
Devereux,	Oglesby,	Waller,
Elliott, J.	Owens,	White,
Fletcher,	Page,	Wortham,
Gilbert,	Phillips,	Young—62.
Haggard,	Reed,	

Those who voted in the negative, were—

Messrs. Abell,	Foley,	Morton,
Boyd,	Glenn,	Pearl,
Bradford,	Graves,	Poor,
Clarke,	Hall,	Procter,
Crawford,	Harrison,	Purdom,
Covington,	Irvine, J.	Rhea,
Dickerson,	Johnston,	Smith,
Durbin,	Jones, J. R.	Talbutt,
Elliott, M.	Mayhall,	Wheeler,
English,	McArthur,	Williams,
Evans,	Moore,	Wright—33.

On the motion of Mr. Williams—

Ordered, That leave of absence, for the remainder of the session, be granted to Mr. Mays.

Mr. Proctor moved a reconsideration of the vote rejecting the bill to add a part of the county of Morgan to Johnson county.

The said bill reads as follows, viz ;

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all that part of the county of Morgan, that lies in the following bounds, shall be and the same is hereby attached to the county of Johnson, to-wit: Beginning at the head of Keeton's fork of Blain, thence with the dividing ridge between Blain and Paint creeks, to the dividing ridge between Paint creek and the Elk fork of Licking; thence with the last named dividing ridge, to the Johnson county line, including all the inhabitants residing on Paint waters in the county of Johnson.

Sec. 2. *Be it further enacted*, That for this present year, 1847, all the citizens included in the above boundary, shall pay their county levy and revenue tax, in the same manner as heretofore, to the sheriff and collector of Morgan, as though this act had not been passed.

Sec. 3. *Be it further enacted*, That all the voters taken from the county of Morgan and added to Johnson, shall, from and after the passage of this act, vote in the county of Johnson.

The question was then taken on the reconsideration of said vote, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vertrees and Soery, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hall,	Phillips,
Messrs. Abell,	Hanson,	Poor,
Alexander,	Hobbs,	Procter,
Botts, W. S.	Hord,	Salter,
Bowman,	Hoy,	Smith,
Bradford,	Irvine, D.	Spurr,
Brown,	Jones, W. L.	Steele,
Bush,	Jordan,	Stewart,
Crawford,	Mayhaff,	Talbutt,
Covington,	McCallister,	Tandy,
Devereux,	Mitchell,	Thomas,
Evans,	Moore,	Thompson,
Foley,	Munford,	Vertrees,
Gleno,	Oglesby,	Walker,
Haggard,	Page,	Waller,
Hager,	Pearl,	Wortham—48.

Those who voted in the negative, were—

Messrs. Almet,	Fletcher,	Owens,
Armstrong,	Gilbert,	Purdum,
Beeler,	Graves,	Reed,
Bell,	Harrison,	Rhea,
Board,	Hay,	Riddle,

Botts, A. G.	Ireland,	Rouse,
Bowmar,	Irvine, J.	Soery,
Clarke,	Johnston,	Spalding,
Cobb,	Jones, J. R.	Stevens,
Crockett,	Mansfield,	Stevenson,
Desha,	Marshall,	Wade,
Dickerson,	McArthur,	Wheeler,
Elliott, J.	Meriwether,	Williams,
Elliott, M.	Morton,	Wright—43.
English,		

The question was then taken on reading said bill a second time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vertress and Soery, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hall,	Poor,
Messrs. Abell,	Hanson,	Procter
Alexander,	Harrison,	Reed, &
Botts, W. S.	Hobbs,	Salter,
Bowman,	Hord,	Smith,
Bradford,	Hoy,	Spurr,
Brown,	Irvine, D.	Steele,
Bush,	Jones, W. L.	Stewart,
Cobb,	Jordan,	Talbutt,
Crawford,	Mayhall,	Tandy,
Crockett,	McCallister,	Thomas,
Evans,	Mitchell,	Thompson,
Foley,	Moore,	Vertress,
Gilbert,	Munford,	Waller,
Glenn,	Oglesby,	Williams,
Haggard,	Page,	Wortham,
Hager,	Pearl,	Young—51.

Those who voted in the negative, were—

Messrs. Alnut,	English,	Purdom,
Armstrong,	Fletcher,	Rhea,
Beeler,	Graves,	Riddle,
Bell,	Ireland,	Rouse,
Board,	Irvine, J.	Soery,
Botts, A. G.	Johnston,	Spalding,
Bowmar,	Mansfield,	Stevens,
Clarke,	Marshall,	Stevenson,
Desha,	McArthur,	Wade,
Dickerson,	Meriwether,	Walker,
Elliott, J.	Morton,	Wheeler,
Elliott, M.	Owens,	Wright—36.

Mr. Waller moved that said bill have its second reading now.

And the question being taken thereon, it was decided in the affirmative.

The said bill was then read a second time.

Ordered, That said bill be engrossed and read a third time.

Mr. Brown, from the committee on Claims, to whom was referred bills from the Senate of the following titles, viz:

An act for the benefit of James C. Brewer, commissioner of tax for Perry county.

An act for the benefit of Hannah Caldwell, of Livingston county.

An act for the benefit of James P. Tyler, of Fulton county.

An act for the benefit of Isaac Gray, deputy sheriff of Caldwell county.

An act for the benefit of John D. Blackford.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Brown, from the same committee, to whom was referred the amendments proposed by the Senate to a bill from this House, entitled, an act for the benefit of Charles Cains, reported the same without amendment.

The said amendments were then twice read and concurred in.

Mr. Brown, from the same committee, to whom was referred the petition of William Kelly, and the petition of Frederick Gosney, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Brown, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of James Stenson, of Pulaski county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Brown, from the same committee, reported a bill for the benefit of Frances Galt, which was read the first time as follows, viz:

WHEREAS, it is represented that a negro slave, named Lewis, belonging to Mrs. Frances Galt, was convicted of arson in the Mason circuit court, and sentenced to be executed on the 9th day of July, 1843; and whereas, the said slave was valued at four hundred and fifty dollars, according to law, and, whilst in jail, in the custody and control of the Commonwealth, a few days prior to the day fixed for his execution, escaped to parts unknown, and has therefore, by the said proceedings, been a total loss to the said Mrs. Galt. Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Second Auditor shall issue a warrant on the Treasury in favor of Mrs. Frances Galt, for the sum of four hundred dollars, in payment for said slave.

And the question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Waller and Proctor, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Botts, A. G.	Hager,	Poor,
Botts, W. S.	Hanson,	Procter,
Devereux,	Hord,	Towles,
Dickerson,	Meriwether,	Waller,
Gilbert,	Mitchell,	Young—15.

Those who voted in the negative, were—

Messrs. Abell,	Harrison,	Reed,
Alexander,	Hay,	Riddle,
Beeler,	Hobbs,	Rouse,
Bell,	Ireland,	Salter,
Bowman,	Irvine, D.	Smith,
Bowmar,	Irvine, J.	Soery,
Bradford,	Johnston,	Spalding,
Brown,	Jones, J. R.	Spurr,
Bush,	Jones, W. L.	Steele,
Clarke,	Jordan,	Stevens,
Cobb,	Mansfield,	Stewart,
Crawford,	Marshall,	Talbutt,
Crockett,	Mayhall,	Tandy,
Desha,	McArthur,	Thomas,
Durbin,	McCallister,	Thompson,
Elliott, J.	McHenry,	Vertress,
Elliott, M.	Moore,	Wade,
English,	Morton,	Walker,
Evans,	Oglesby,	Wheeler,
Fletcher,	Owens,	White,
Foley,	Page,	Williams.
Glenn,	Pearl,	Wortham,
Haggard,	Purdom,	Wright—69.

A bill from the Senate, entitled, an act relating to the Penitentiary and requiring a new bond from the Keeper, was read the first time and ordered to be read a second.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McHenry, from the committee on the Judiciary, to whom was referred the bill to amend the law concerning runaway slaves, reported the same without amendment.

Ordered, That said bill be laid on the table.

Mr. McHenry, from the same committee, to whom was referred the bill to amend the execution laws, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Foley presented the petition of sundry citizens of Whitley county, praying for an appropriation to open a road from Williamsburg to the mouth of the South fork; which was received, the reading dispensed with and referred to the committee on Internal Improvement.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to amend the law in relation to summoning guards.

An act to provide for a change of venue in the prosecution against Polly Fenton.

An act for the benefit of Isaac Gray, deputy sheriff of Caldwell county.

An act for the benefit of Hannah Caldwell, of Livingston county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. Stevens asked leave to withdraw the petition of sundry citizens of Caldwell county, praying for a division of said county, and the remonstrance; which was granted and the same were withdrawn.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Claims.—A bill for the benefit of the Jailer of Nelson county.

By same.—A bill for the benefit of Amariah Moore.

By same.—A bill for the benefit of Robert H. Perry.

By same.—A bill for the benefit of Thomas D. Honaker and David Robinson, of Pike county, and for other purposes.

By same.—A bill for the benefit of Jacob J. Goodman.

By same.—A bill for the benefit of L. M. Eckert and William Scott.

By Mr. Brown.—A bill to incorporate the town of Elizabethtown, in Hardin county.

By same.—A bill for the benefit of Thomas Florence, of Hardin county.

By Mr. Owens.—A bill to establish the town of Lairsville, in Russell county.

By the committee on the Judiciary.—A bill to extend the Constable's district, which includes the town of Frankfort.

By same.—A bill authorizing Justices of the Peace to try attachment causes and motions out of term time.

By same.—A bill for the benefit of the administrator of H. K. Chism, deceased.

By same.—A bill to amend the law in reference to the town of Hopkinsville.

By same.—A bill concerning the town of Glasgow.

By same.—A bill to legalize the proceedings of the commissioners appointed to run and mark the county line between Bullitt and Jefferson.

By same.—A bill for the benefit of Anna Maria Crockett and her children.

By same.—A bill to extend the jurisdiction of the Police Judge of Morganfield.

By same.—A bill for the benefit of Emily McDowell.

By same.—A bill to allow an additional term to the Cumberland circuit court.

By Mr. Walter.—A bill to incorporate the Dover and Minerva Turnpike Road Company.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the committee on the Judiciary, reported a bill to amend the several acts further to suppress duelling.

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the first day of March, 1847, and until the first day of March, 1850, in administering the oath directed by the several acts of Assembly "more effectually to suppress the practice of duelling," the oath shall be from the said first day of March, 1847; and that on and after the first day of March, 1850, the oath shall be, that the person or persons taking the same, has not given, accepted, or knowingly carried, a challenge, to any person or persons, to fight in single combat, or otherwise, with any deadly weapon, either within or without this State, within three years next preceding the time of taking such oath; and that he or they will not directly or indirectly give, accept, or knowingly carry, a challenge, to any person or persons, to fight in single combat, or otherwise, with any deadly weapon, either in or out of this State, during his or their continuance in office.

Mr. Smith moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Procter and McHenry, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Beeler,	Glenn,	Smith,
Bowman,	Graves,	Soery, .
Boyd,	Hay,	Stevens,
Bradford,	Hoy,	Stevenson,
Brown,	Ireland,	Wheeler,
Clarke,	McCallister,	Williams,
Crockett,	Morton,	Wortham,
Covington,	Page,	Wright,
Durbin,	Poor,	Young—29.
Evans,	Reed,	

Those who voted in the negative, were—

Mr. Speaker,	Hanson,	Purdom,
Messrs. Abell,	Harrison,	Rhea,
Alexander,	Hobbs,	Riddle,
Alnut,	Hord,	Rouse,
Bell,	Irvine, J.	Salter,
Boardi,	Johnston,	Spalding,
Botts, A. G.	Jones, J. R.	Spurr,
Botts, W. S.	Jones, W. L.	Steele,
Bowmar,	Jordan,	Talbutt,
Bush,	Mansfield,	Tandy,
Desha,	McHenry,	Thomas,
Devereux,	Meriwether,	Thompson,
Dickerson,	Mitchell,	Towles,
Elliott, J.	Moore,	Vertress,
Elliott, M.	Munford,	Wade,
English,	Oglesby,	Walker,
Gilbert,	Owens,	Waller,
Haggard,	Pearl,	White—56.
Hall,	Procter,	

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

Mr. Bush moved to dispense with the third reading of said bill.

And the question being taken thereon it was decided in the negative, it requiring a majority of four fifths.

The yeas and nays being required thereon by Messrs. Graves and Smith, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Glenn,	Pearl,
Messrs. Abell,	Haggard,	Procter,
Alexander,	Hager,	Purdom,
Alnut,	Hall,	Rhea,
Beeler,	Hanson,	Riddle,
Board,	Harrison,	Rouse,

Botts, W. S.	Hobbs,	Salter,
Bowmar,	Hord,	Soery,
Brown,	Irvine, D.	Spalding,
Bush,	Johnston,	Spurr,
Cobb,	Jones, J. R.	Steele,
Crawford,	Jones, W. L.	Stewart,
Covington,	Mansfield,	Talbutt,
Desha,	McArthur,	Tandy,
Devereux,	McHenry,	Thomas,
Dickerson,	Meriwether,	Vertress,
Elliott, J.	Mitchell,	Wade,
Elliott, M.	Moore,	Walker,
English,	Morton,	Waller,
Fletcher,	Munford,	Wheeler,
Foley,	Oglesby,	Williams,
Gilbert,	Owens,	Young—66.

Those who voted in the negative, were—

Messrs. Bell,	Evans,	Page,
Bowman,	Graves,	Poor,
Boyd,	Hay,	Reed,
Bradford,	Hoy,	Smith,
Clarke,	Ireland,	Stevens,
Crockett,	Irvine, J.	Wortham,
Durbin,	Jordan,	Wright—21.

Mr. McHenry, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, and act authorizing Robert Triplett and Alexander B. Barrett to bring certain slaves into this Commonwealth, reported the same with an amendment as a substitute for said bill, which was concurred in.

The said bill, as amended, reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be lawful for Robert Triplett and Alexander B. Barrett, to purchase of Blair Burwell, of the State of Virginia, and to bring into this State, the following slaves, to-wit: Sarah, a young woman, about eighteen years old; Lucy, her sister, about sixteen years old; Miny, another sister, about thirteen years old; Panthea, another sister, about twelve years old; Randolph, a brother of the above, fifteen years old; Fanny, a young woman, about seventeen years old; Amy, her sister, about sixteen years old; Tabby, another sister, about fifteen years old; Gilbert, their brother, about thirteen years old; Nelly, a young woman, about eighteen years old; Polly, her sister, about thirteen years old; Davy, their brother, about fifteen years old; Sally, a young woman, about seventeen years old; Peggy, a girl, about — years old; Peter, a boy, about thirteen years old; William Carter, a boy, about sixteen years old; Silas, his brother, about fourteen years old; George, a black man, about twenty eight years old; Alfred, a mulatto man, about twenty years old; Washington, of dark color, eighteen years old; Kitty, and her child Starke, she being the mother of several of the above girls, about thirty five years old; Rebecca, daughter of Kitty, about ten

years old; Delia, daughter of Kitty, about eight years old, together with any increase of the said female slaves which may have been born since the first day of January last.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Salter and Cobb, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	English,	Poor,
Alexander,	Glenn,	Reed,
Bell,	Hager,	Rhea,
Board,	Harrison,	Smith,
Bowmar,	Hoy,	Spalding,
Clarke,	Johnston,	Stevens,
Crawford,	Jones, W. L.	Stevenson,
Crockett,	Jordan,	Wheeler,
Covington,	Mansfield,	Williams,
Devereux,	Mitchell,	Wortham,
Dickerson,	Moore,	Wright,
Durbin,	Page,	Young—36.

Those who voted in the negative, were—

Mr. Speaker,	Gilbert,	Purdum,
Messrs. Alnut,	Graves,	Riddle,
Armstrong,	Haggard,	Rouse,
Beeler,	Hall,	Salter,
Bowman,	Hobbs,	Spurr,
Boyd,	Hord,	Stewart,
Bradford,	Ireland,	Talbutt,
Bush,	Irvine, J.	Tandy,
Cobb,	Jones, J. R.	Thomas,
Desha,	Meriwether,	Vertress,
Elliott, J.	Morton,	Wade,
Elliott, M.	Munford,	Walker,
Foley,	Owens,	White—39.

Mr. McHenry, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of the Trustees of the town of Shepherdsville, in Bullitt county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McHenry, from said committee, to whom was referred a bill from the Senate, entitled, an act to amend an act, entitled, an act for the benefit of C. J. Blackburn, approved February 7, 1845, reported the same with an amendment as a substitute for said bill.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall be and is hereby made the duty of the Attorney General, to attend in his professional character, upon the trial of the writ of ad quod damnum authorized by said act of 1845, for the benefit of said Blackburn, and take down all the testimony used upon said trial, and report the same in writing to the next Legislature.

SEC. 2. *Be it further enacted,* That the depositions of E. I. Winter and Benjamin Gratz be taken *de bene esse*, upon five days notice to said Blackburn by the Attorney General, and shall be received and read as evidence on said trial; if said Winter and Gratz, or either of them, shall be out of the State, or unable to attend, and no trial of said writ of ad quod damnum shall be had unless said Winter and Gratz be present, or said Blackburn agree to the reading of said depositions; and said depositions, taken as aforesaid, shall be received as evidence in any controversy which may hereafter arise between said Blackburn and the Commonwealth of Kentucky, upon the subject of the railroad passing through the land of said Blackburn: *Provided,* That if the first jury should fail to render a verdict in said case, the officer may continue to summon until a verdict is rendered.

The amendment proposed by the committee, as a substitute for said bill, reads as follows, viz:

WHEREAS, it is represented that the Lexington and Ohio Railroad, in that part of it which lies between Lexington and Frankfort, passes through the lands of C. J. Blackburn, and the said Blackburn has never relinquished the right of way for said road, or received any compensation for injury to his said land—he having only a remainder interest in said land after the death of his mother, who was living at the date of the location of the road, and who received compensation for her life estate. Therefore,

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the President of the Board of Internal Improvement, or whoever may be his successor, may agree with the said C. J. Blackburn as to the amount of injury done to said Blackburn's land by the establishment of said road; and in the event of their not agreeing on the amount, then the said Blackburn may make application to the Judge of the Woodford Circuit Court; who shall, thereupon, issue his warrant under hand and seal, directed to the Sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, not related to the said Blackburn, or in anywise interested to meet on the land to be valued, on a day named in said warrant, not less than ten nor more than twenty days after the issuing of the same; and if, at said time and place, any of said jurors summoned do not attend, the said Sheriff shall summon as many jurors as may be necessary with the jurors in attendance, to furnish a pannel of twenty jurors in attendance; and from them, each party, or their agent, or if either be not present, in person or by agent, the Sheriff for him, may strike off four jurors, and the remaining twelve shall act as the Jury of Inquest

of damages; and before they act as such, the said Judge shall administer to each of them an oath, or affirmation, as the case may be, that he will justly and impartially value the damages which the said Blackburn has sustained by the said railroad; and the jury, in estimating such damages, shall take into the estimate the benefits resulting to the said Blackburn from conducting said railroad through his said land, but only in extinguishment of the claim for damages; and the said jury shall reduce their inquisition to writing, and shall sign and seal the same; and it shall then be returned by said Sheriff to the Clerk of the Circuit Court of said court, and by such Clerk filed in his office; and shall be confirmed by the court at its next session, if no sufficient cause to the contrary be shown, and when confirmed, shall be recorded by the Clerk at the expense of the ———; but, if set aside, the said court may direct another inquisition to be taken, in the same manner above prescribed; and such inquisition shall describe the property taken, and the quantity or duration of the interest in same; and such valuation, when paid, or tendered to the said Blackburn, or his legal representatives, shall entitle the said Company to the estate and interest thus valued, as fully as if it had been conveyed by the said Blackburn.

SEC. 2. *Be it further enacted*, That the said Judge shall try and decide all questions of law that may arise on said trial, and he is hereby vested with the same power over said case, as he is over any case brought regularly for his hearing at any of the regular terms of his court.

SEC. 3. *Be it further enacted*, That it shall be the duty of said Blackburn to give written notice to the Attorney General, ten days before, of the day fixed by the said Judge for the trial of said inquisition, whose duty it shall be to attend said inquisition on behalf of the State: and for his services in the same, he shall receive the sum of twenty five dollars, to be paid him by the lessees of the railroad, and allowed to them in their next payment thereafter.

SEC. 4. *Be it further enacted*, That either party may have ten months within which to prosecute an appeal or writ of error from the judgment of the Circuit Court, after it shall be rendered in said case, to the Court of Appeals; and upon their being no appeal, or writ of error, the lessees of said road are hereby authorized to pay over to said Blackburn the amount of damages so adjudged him, and his receipt to them for the amount shall pass as so much money in their succeeding payment of rent.

SEC. 5. That it shall be the duty of the Attorney General to obtain from the President of the Board of Internal Improvement, the names of such witnesses as shall be deemed by the President of said Board necessary to resist said claim, and to cause said witnesses to be summoned to attend the trial, if he shall deem it advisable: *Provided*, that the damages assessed, shall not exceed the sum of one hundred and fifty dollars.

SEC. 6. That the jury shall enquire and ascertain whether said Blackburn has in any way parted with his interest in said land, and if he has, they shall find against him.

Mr. Graves moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Reed and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Haggard,	Smith,
Beeler,	Hall,	Spalding,
Bowman,	Hord,	Spurr,
Bowmar,	Hoy,	Stevenson,
Bradford,	Mansfield,	Stewart,
Brown,	McCallister,	Thomas,
Covington,	Morton,	Vertress,
Evans,	Owens,	Waller,
Foley,	Poor,	Williams.
Gilbert,	Rhea,	Wortham,
Glenn,	Riddle,	Wright—35.
Graves,	Salter,	

Those who voted in the negative, were—

Mr. Speaker,	Elliott, M.	Moore,
Messrs. Abell,	English,	Munford,
Alnut,	Hanson,	Page,
Armstrong,	Harrison,	Pearl,
Bell,	Hay,	Reed,
Board,	Hobbs,	Rouse,
Bush,	Ireland,	Stevens,
Clarke,	Irvine, J.	Talbutt,
Crawford,	Johnston,	Tandy,
Crockett,	Jones, J. R.	Wade,
Desha,	Jordan,	Walker,
Devereux,	McArthur,	White,
Dickerson,	Meriwether,	Young—41.
Elliott, J.	Mitchell,	

The said amendment, as a substitute, was then concurred in.

The said bill was then further amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act in relation to the Penitentiary, with an amendment.

The said amendment was then twice read and concurred in.

On motion of Mr. Smith,

Resolved, That Gen. Thomas Metcalfe and Ben. Hardin, Esq., have the use of this Hall, on Thursday evening, at 7 o'clock, for the purpose of delivering public addresses.

Mr. Brown read and laid on the table the following resolution, viz:

Resolved by the Senate and House of Representatives, That the committee on Claims, in the House of Representatives, and the committee of Fi-

nance, in the Senate, be a joint committee to examine all claims to be reported and provided for in the general appropriation bill of this session.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

The said resolution was then adopted.

And then the House adjourned.

THURSDAY, FEBRUARY 25, 1847.

1. Mr. Foley presented the petition of William D. Davis, praying that an allowance be made him for the support of an idiot.

2. Mr. M. Elliott presented the petition of Nancy Downs, praying to be divorced from her husband, John Downs.

Which were received, the reading dispensed with and referred; the first to the committee on Ways and Means, and the second to the committee on Religion.

Mr. Alnut, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of the citizens of Owen county in relation to flat boats passing over Lock and Dam No. 1, in time of high water, free of toll; which was read the first time.

And the question being taken on reading said bill a second time, it was decided in the negative, and so the said bill was rejected.

A message was received from the Senate announcing their concurrence in the amendment proposed by this House, to bills from the Senate, of the following titles, viz:

An act to amend the law in relation to binding out poor children in this Commonwealth.

An act to incorporate the town of Harrisonville, in Shelby county.

An act to regulate the number of Justices of the Peace in the town of Greensburg.

An act to amend the charter of the city of Lexington.

That they had disagreed to the first and concurred in the second amendment proposed by this House, to a bill from the Senate, entitled, an act to change the place of voting from Seaton Lee's, in Pulaski county, and for other purposes.

And that they had disagreed to bills from this House, of the following titles, viz:

An act for the benefit of William S. Patterson.

An act for the benefit of the clerk of the Cumberland county court.

An act to amend an act in relation to dams and other obstructions to water courses.

An act for the benefit of Robert Williams.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of Augustine B. Offutt.

An act to amend the laws regulating the Wilderness road.

An act to amend the charter of the town of Newport.

An act for the benefit of the sheriff of Bullitt county.

An act for the benefit of Jeff. Evans, of the county of Greenup.

An act to amend the charter of the Nashville and Louisville Turnpike Road Company.

An act to incorporate the Globe Manufacturing Company.

An act to amend an act, entitled, an act to incorporate the Danville and Houstonville Turnpike Road Company, and for other purposes.

An act to amend an act, entitled, an act providing for a State road from Adairsville, in Logan county, to Bowlinggreen, in Warren county.

An act to change the place of voting in the Fox precinct, in the county of Fleming, and the Chesnut Grove, in Shelby county.

An act for the benefit of the Kentucky Institution for the Education of the Blind.

An act to incorporate the Trustees of the Nelson county Library Company, and for other purposes.

An act legalizing the organization and first election of officers by the Bank Lick Turnpike Road Company.

An act appointing Commissioners of the Goose creek salt works road.

An act regulating the mode of appointing a salt inspector for the city of Louisville, and for other purposes.

An act to reduce the price of public lands in Adair county.

An act to allow an additional Justice of the Peace to Meade county.

An act to establish the road law of Jefferson county.

An act to incorporate the Presbyterian Church of Paducah.

An act to change the names of Eliza Jane Donaldson and others.

An act authorizing the Trustees of the town of Burksville to change an alley in said town.

An act to extend the provisions of the mechanics' lien law of Louisville, to the counties of Mercer, Marion, Trimble and Jessamine.

An act to suppress coffee houses in the town of Washington.

An act to allow an additional Justice of the Peace to Carter county.

An act giving further time to the administrator of John Trimble to list certain fee bills for collection.

An act allowing an additional Justice of the Peace to Bath county.

An act for the benefit of the town of Madisonville, in Hopkins county.

An act to settle and adjust the claim of John Bussing.

An act for the benefit of Jacob Corbett.

An act to amend the several acts incorporating the city of Maysville.

An act for the benefit of A. G. Botts, assignee of James Ray.

With amendments to the five last named bills.

That they concurred in a resolution from this House, in relation to the Owingsville and Big Sandy Turnpike Road Company.

That they had passed bills of the following titles, viz:

An act for the benefit of James B. Meredith, of Woodford county.

An act to amend and reduce into one the several acts in relation to the town of Georgetown.

An act for the benefit of William H. Taylor, of Mercer county.

An act for the benefit of the widow and heirs of William Perry, deceased.

An act for the benefit of the towns of Burlington and Hamilton.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Durbin—A bill for the benefit of Thomas J. Miller.

By Mr. Pearl—A bill to regulate the tolls on the Madison fork of the Wilderness road.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wright, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the heirs of Isaac Sprake, deceased.

An act for the benefit of the heirs of John Frazier, deceased.

An act for the benefit of the heirs of Thomas Anderson, deceased.

An act for the benefit of the heirs of S. H. Anderson, deceased.

An act for the benefit of Ann Daviess and her children.

An act regulating the sales of forfeited lands, and applying the statute of limitation in certain cases

An act for the benefit of James Jackman.

An act for the benefit of the heirs of Daniel Barksdale, deceased.

An act for the benefit of Alfred Payne.

An act to prevent the wanton destruction of fish.

An act to incorporate the town of Springfield, in Washington county.

An act for the benefit of Silas M. Berry and others.

An act for the benefit of Nancy Pointer.

An act for the benefit of George Dixon, of Nelson county.

An act for the benefit of William P. Mitchell.

An act to incorporate the Springfield Lodge, and the Washington Royal Arch Chapter.

An act to incorporate the Trustees of the Presbyterian Church, in Frankfort.

An act to provide for a change of venue in the prosecution against Richard S. Mason.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wright inform the Senate thereof.

On the motion of Mr. Page,

Ordered, That leave of absence, for the remainder of the session, be granted to Mr. Martin.

The amendments proposed by the Senate, to a bill from this House, entitled, an act for the benefit of A. G. Botts, assignee of James Ray, were twice read and concurred in.

Mr. McHenry, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to amend the several acts regulating civil proceedings in this Commonwealth, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. McHenry, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act to incorporate the Firemans' Insurance Company, of Lexington.

An act to amend an act, entitled, an act for the benefit of Joseph S. N. and James M. Dicken, approved February 17, 1846.

An act for the benefit of Richard Fisher, and his securities.

An act to incorporate the North Kentucky Mutual Insurance Company.

An act for the benefit of Edwin Trimble, clerk of the Floyd county and circuit courts.

An act to incorporate the Independent Temperance Society, of Pulaski county.

An act to regulate the clerks and trustees fees for services rendered under the jury laws.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred a bill to repeal the law better to protect the breed of deer, and to prevent unlaw-

ful hunting, reported the same with an amendment, as a substitute for said bill; which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title be amended to read "an act to stop the breed of deer west of the Tennessee river."

Mr. McHenry, from the same committee, to whom was referred a bill for the benefit of John Goodridge, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred a bill to change the mode of bringing suits in certain cases, reported the same without amendment.

The said bill reads as follows, viz;

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That when any individual shall desire to bring suit upon any bond, note, account, or any other writing, due and payable in money, in any of the circuit courts in this Commonwealth, such individual or individuals shall file his bond, note, account, or other writing, payable as aforesaid, with the Clerk of the circuit court of the county wherein the defendant resides, or where the contract was made, and pay to the Clerk of said court fifty cents tax on the same, it shall be the duty of said Clerk to issue a summons against the defendant or defendants, commanding him, her or them, to appear before the Judge of his court, on the first day of the next term thereof, to answer the plaintiff's demand, in which he shall set forth the amount of the debt, &c. sued for, which summons shall be in the form following: "The Commonwealth of Kentucky, to the sheriff (or other officer as the case may be,) of _____ county, greeting. We command you to summon A. B. to appear before the Judge of our _____ circuit court, at the court house in the town of _____, on the first day of our next _____ term, to answer C. D. in a plea of debt, due by _____ in the sum of _____ dollars _____ cents, with interest thereon from the _____ day of _____ 184 , and this _____ shall in no wise omit. Witness, E. F., Clerk of our said court, at the Clerk's office aforesaid, this _____ day of _____, 184 , and in the _____ year of the Commonwealth. Which summons shall be signed by the Clerk, (and may be varied to suit the case,) and shall be executed by the sheriff or other officer, agreeably to the laws now in force.

SEC. 2. It shall be the duty of the Clerk to enter said suit upon his docket, to the first day of the next term of his said court.

SEC. 3. In all cases where suits are brought upon any bond, note, account or other writing, as aforesaid, upon the calling of the same, it shall be the duty of the court to cause a judgment to be entered up thereupon, agreeably to the laws now in force; and when the defendant or defendants shall make

no defence, no attorney's fee shall be allowed or charged against the defendant or defendants in the case.

SEC. 4. If any defendant shall desire to make any defence to any suit brought as aforesaid, he shall file the nature of his defence in the Clerk's office, before the sitting of the court; and in all cases where defence is made as aforesaid, an attorney's fee shall be charged or taxed against the unsuccessful party as heretofore.

SEC. 5. After the passage of this act, it shall not be necessary to bring suit in the usual way, but the case may be tried upon its merits, as though the suit had been brought by petition or otherwise: *Provided, however,* That this act shall not prevent the bringing of suits in the usual way as heretofore, but in no case shall an attorney's fee be taxed against any defendant, unless he shall make defence to the action.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Glenn and Evans, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Graves,	Poor,
Beeler,	Hall,	Procter,
Board,	Harrison,	Rhea,
Bowman,	Hay,	Salter,
Bowmar,	Irvine, J.	Smith,
Boyd,	Johnston,	Spalding,
Bradford,	Jones, J. R.	Stewart,
Brown,	Jones, W. L.	Wade,
Clarke,	Jordan,	Walker,
Crawford,	Mansfield,	Wheeler,
Desha,	McArthur,	Williams,
Durbin,	Meriwether,	Wortham,
Elliott, M.	Moore,	Wright,
Foley,	Oglesby,	Young—43.
Glenn,		

Those who voted in the negative, were—

Mr. Speaker,	Gilbert,	Pearl,
Messrs. Alexander,	Haggard,	Purdom,
Alnut,	Hager,	Reed,
Armstrong,	Hanson,	Riddle,
Bell,	Hobbs,	Rouse,
Botts, A. G.	Hord,	Soery,
Botts, W. S.	Hoy,	Spurr,
Bush,	Ireland,	Steele,
Coleman,	Irvine, D.	Stevens,
Crockett,	Marshall,	Talbutt,
Covington,	McCallister,	Tandy,
Devereux,	McHenry,	Thomas,
Dickerson,	Mitchell,	Thompson,
Elliott, J.	Morton,	Vertress,

English,
Evans,
Fletcher,

Munford,
Owens,
Page,

Waller,
White—50.

Mr. McHenry, from the same committee, to whom was referred a bill from the Senate, entitled, an act to repeal the second section of an act, entitled, an act declaring certain deeds valid, approved March 2, 1844, reported the same with an amendment, as a substitute for said bill.

The said amendment, as a substitute, reads as follows, viz:

WHEREAS, it is represented to the General Assembly of the Commonwealth of Kentucky, that doubts have arisen as to the proper construction of the second section of an act, entitled, an act declaring certain deeds valid, approved 2d March, 1844. Therefore,

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That nothing in said second section shall be so construed as to give the effect of a recorded deed, as against subsequent *bona fide* purchasers for valuable consideration, to any deed, or copy thereof, where the deed was not recorded in the proper office.

SEC. 2. *Be it further enacted,* That where any deed was, previous to the year 1810, acknowledged by the grantor or grantors therein, before any Clerk of any court of record in this State, and recorded in the office of any county court or of the Court of Appeals or General Court, a copy of such deed may be read as evidence in any of the courts of this Commonwealth; but if the record was not made upon such acknowledgment, and recorded in such office as, according to the laws existing at the time, were specified and required, such copy, when read, shall only have the same effect as the original deed would have, if produced and read.

The question was then taken on concurring in said amendment, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with.

Mr. Wheeler moved a reconsideration of the vote dispensing with the third reading of said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Evans moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Evans and Glenn, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Beeler,
Crockett,

Jones, J. R.
Reed,

Wright—5.

Those who voted in the negative, were—

Messrs. Abell,
Alexander,
Alnut,

Graves,
Haggard,
Hager,

Pearl,
Poor,
Procter,

Armstrong,	Hall,	Purdum,
Bell,	Hanson,	Rhea,
Board,	Harrison,	Riddle,
Botts, A. G.	Hay,	Rouse,
Botts, W. S.	Hobbs,	Salter,
Bowman,	Hord,	Smith,
Bowmar,	Hoy,	Soery,
Boyd,	Ireland,	Spalding,
Bradford,	Irvine, D.	Spurr,
Brown,	Irvine, J.	Steele,
Bush,	Johnston,	Stevens,
Clarke,	Jones, W. L.	Stevenson,
Cobb,	Jordan,	Stewart,
Coleman,	Mansfield,	Talbutt,
Crawford,	Marshall,	Tandy,
Covington,	Mayhall,	Thomas,
Desha,	McArthur,	Thompson,
Devereux,	McCallister,	Vertress,
Dickerson,	McHenry,	Wade,
Durbin,	Mitchell,	Walker,
Elliott, J.	Moore,	Waller,
Elliott, M.	Morton,	Wheeler,
English,	Munford,	White,
Evans,	Oglesby,	Williams,
Foley,	Owens,	Wortham,
Gilbert,	Page,	Young—88.
Glenn,		

Mr. Smith then moved a reconsideration of the vote ordering said bill to be read a third time, and it was decided in the affirmative.

Mr. Smith then moved a reconsideration of the vote adopting the amendment proposed by the committee, as a substitute for said bill, and it was decided in the affirmative.

The question was again taken on the adoption of said amendment, as a substitute for said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bush and Crockett, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Irvine, J.	Reed,
Messrs. Alexander,	Jones, W. L.	Steele,
Beeler,	Mayhall,	Stewart,
Botts, A. G.	McCallister,	Thomas,
Bush,	McHenry,	Wade,
Crockett,	Meriwether,	Waller,
Foley,	Mitchell,	Williams,
Gilbert,	Munford,	Wright,
Hobbs,	Page,	Young—27.

Those who voted in the negative, were—

Messrs. Abell,	Evans,	Owens,
Alnut,	Fletcher,	Pearl,
Armstrong,	Glenn,	Poor,
Bell,	Graves,	Procter,
Board,	Haggard,	Purdom,
Botts, W. S.	Hager,	Rhea,
Bowman,	Hall,	Riddle,
Bowmar,	Hanson,	Salter,
Boyd,	Harrison,	Soery,
Bradford,	Hay,	Spalding,
Clarke,	Hord,	Spurr,
Cobb,	Hoy,	Stevens,
Coleman,	Ireland,	Stevenson,
Crawford,	Irvine, D.	Talbutt,
Covington,	Johnston,	Tandy,
Desha,	Jones, J. R.	Thompson,
Devereux,	Jordan,	Towles,
Dickerson,	Mansfield,	Vertress,
Durbin,	Marshall,	Walker,
Elliott, J.	Moore,	Wheeler,
Elliott, M.	Morton,	White,
English,	Oglesby,	Wortham—66.

Ordered, That said bill be read a third time.

Mr. Glenn moved that said bill have its third reading now.

And it was decided in the affirmative.

The said bill was then read a third time.

The question was then taken on the passage of said bill, and decided in the affirmative.

Resolved, That the title thereof be as aforesaid.

Mr. Williams, from the committee on Federal Relations, made a report, accompanied by resolutions; which report and resolutions are as follows, viz:

The committee on Federal Relations, to whom was referred the proceedings of a meeting of the people of the counties of Trimble and Carroll, in relation to a recent abolition mob in the town of Marshall, State of Michigan, have had the same under consideration, and submit the following report:

It appears to the satisfaction of the committee, that one Francis Troutman was employed as agent and attorney in fact for Francis Giltner, of the county of Carroll, to go to the said town of Marshall, in the State of Michigan, to reclaim, take, and bring back to the State of Kentucky, certain fugitive and runaway slaves, the property of said Giltner; that said Troutman proceeded under the authority thus given him, to the said town of Marshall, for the purpose of reclaiming and bringing home to the owner, the slaves aforesaid; and whilst endeavoring to arrest said slaves, a mob, composed of free negroes, runaway slaves, and white men, to the number of from two to three hundred, forbid said Troutman, and those who accompanied him for that purpose, to arrest and take into their possession the slaves aforesaid, and by their threats, riotous and disorderly conduct, did prevent said Troutman

and those associated with him for that purpose, from taking into their possession the slaves aforesaid.

Your committee regret that the citizens of the town of Marshall, in the State aforesaid, have thus acted and conducted themselves; such conduct and such outrages committed upon the rights and citizens of the State of Kentucky, or any other State of this Union, must necessarily result in great mischief, and is well calculated, and must, if persisted in by the citizens of Michigan, or any other of the free States of this Union, terminate in breaking up and destroying the peace and harmony that is desirable by every good citizen of all the States of this Union, should exist between the several States, and is in violation of the laws of the United States and the constitutional rights of the citizens of the slave States. The affidavit of said Troutman is appended to this report and made part hereof, marked (A.) Wherefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Legislature of the State of Michigan be and is hereby respectfully, but earnestly requested to give the subject that consideration which its importance demands, and to take such action thereon as in the judgment of said Legislature, is deemed proper and right, with a view to maintain that peace, amity, and good feeling which ought to exist between the citizens of the States of Michigan and Kentucky, and for the purpose of enabling the citizens of Kentucky to reclaim their runaway and fugitive slaves to the State of Michigan.

Resolved further, That our Senators and Representatives in Congress be requested to turn their attention to the subject embraced in the foregoing report and resolution, and urge upon the consideration of Congress the importance of passing such laws as will fully enable the citizens of the State of Kentucky, and the other slave States, to reclaim and obtain their slaves that may runaway to the free or non-slaveholding States of this Union; that they also declare, by said laws, the severest penalty for their violation, that the Constitution of the United States will tolerate.

Resolved, That the Governor be requested to forward to the Governor of the State of Michigan, a copy of the foregoing report and resolutions, with a request that he submit the same to the Legislature of his State, for its consideration and action; that he also forward a copy of the same to each of our Senators and Representatives in Congress.

[A.]

The affidavit of Francis Troutman.

This affiant states, that as the agent and attorney of Francis Giltner, of Carroll county, Kentucky, he proceeded to the town of Marshall, in the county of Calhoun, and State of Michigan, and in company with the deputy sheriff and three Kentuckians, on the morning of the 27th January, went to a house in which they found six fugitive slaves, the property of Giltner. The slaves were directed to accompany us to the office of a magistrate; some of them were preparing to obey the summons, but before affiant could get them started, he was surrounded by a mob, which, by its violent threats, menaces and assaults, prevented the removal of the slaves to the office of the magistrate. Affiant directed the sheriff, time after time, to discharge his duty, and he as often made an effort to do so, but so great was the excitement and violence of the mob, that the officer was afraid to seize the slaves. Resolutions were offered by some of the most influential citizens of

the town, which were calculated greatly to excite and encourage the negroes and abolition rabble, who constituted a part of the mob. The negroes engaged in the mob were estimated at from forty to fifty, many of whom are fugitive slaves from Kentucky, as affiant was informed and believes. The number of persons engaged in the mob were variously estimated at from two to three hundred. All the resolutions offered by those engaged in the mob, were sustained by general acclamation; many of the mob pledged their lives to sustain them, and at the same time had guns, clubs and other weapons in their hands, with which to execute their purposes. Affiant contended for some hours with the mob, and still insisted on taking the slaves before the magistrate for trial, but the influential men in the mob, told affiant that there was no need of a trial, and that any further attempt to remove the slaves would jeopardize the lives of all who might make such attempt, and they were determined to prevent affiant from removing the slaves from town, even if he proved his right to do so; they stated further, that public sentiment was opposed to southerners reclaiming fugitive slaves, and that although the law was in our favor, yet public sentiment must and should supersede the law in this and similar cases. Affiant then called upon some of the most active members of the mob to give him their names, and inform him if they considered themselves responsible for their words and actions on that occasion; they promptly gave their names to affiant, and he was told to write them in capital letters and bear them back to Kentucky, the land of slavery, as an evidence of their determination to persist in the defence of a precedent already established. The following resolution was then offered: *Resolved*, That these Kentuckians shall not remove from this place these (naming the slaves,) by moral, physical or legal force. It was carried by general acclamation. Affiant then directed the sheriff to summon those leading men of this mob to assist in keeping the peace; he did so, but they refused their aid, and affiant understood them to say that they would assist in preventing the arrest of the slaves. A consultation was then held by eight or ten of the mob, out some distance from the main crowd, as to whether affiant might take the slaves before the magistrate; the decision was in the negative, and the following resolution was then offered: *Resolved*, That these Kentuckians shall leave the town in two hours; (some penalty in the event of a failure, was attached, which affiant does not recollect.) It was sustained by the unanimous vote of the mob.

A warrant for trespass was then issued and served upon the sheriff, affiant and company; we stood trial; the magistrate who was an abolitionist, fined us \$100. A warrant was then taken out against affiant for drawing a pistol upon a negro and telling him to stand back, when said negro was making an attempt to force himself upon affiant, and into the house where affiant had the slaves. On trial, affiant proved his agency and that the slaves were the property of Giltner, for whom he was acting as agent, yet the court recognized this affiant to appear at the next circuit court, for trial.

Many were the insults offered affiant by the leading men of the mob, who informed him at the same time, that it was just such treatment as a Kentuckian deserves, when attempting to re-capture a slave, and that they intended to make an example of him, that others might take warning. That there had been attempts by slaveholders to reclaim slaves in their town, but that they had always been repulsed, and always shall be. The insults offered this affiant as a private individual, were treated with a veto of silent

contempt, but such as were offered him as a Kentuckian, during the time of the mob and the progress of two days trial which succeeded, were resented in such manner as this affiant believed the honor, dignity and independence of a Kentuckian demanded. Given under my hand this 15th Feb., 1847.

F. TROUTMAN..

Franklin county, Sct..

Personally before the undersigned, a Justice of the Peace for said county, this day came the above named Francis Troutman, who made oath in due form of law, to the truth of the statements as set forth in the foregoing affidavit. Given under my hand this 15th day of February, 1847.

H. WINGATE, J. P.

Mr. Williams moved to dispense with the rule requiring joint resolutions to lie one day on the table.

And the question being taken thereon, it was decided in the affirmative.

The said report and resolutions were then read and adopted.

Mr. Waller, from the committee to whom was referred a bill to amend an act incorporating certain turnpike road companies, approved January 29, 1829, reported the same with an amendment as a substitute for said bill.

The said bill reads as follows, viz:

WHEREAS, it has been represented to the General Assembly, that great grievance is imposed on the citizens of the counties of Fleming and Nicholas, by the location of the gates on the Maysville and Lexington Turnpike Road, in contravention of the spirit and meaning of the act incorporating said road company, said gates being so located that *three* tolls are collectable in about six miles. For remedy whereof,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That but one toll shall be collected of any citizen of the county of Fleming, residing within five miles of the line of said road, or of any citizen of the county of Nicholas, residing with — of Licking river, travelling said road, on that section between Johnson's fork and Licking river; and that no citizen of said counties shall be liable to any fine or penalty under existing laws, for evading tolls at said gates between Johnson's fork and Licking river, until said road company shall distribute the gates on said road, five miles apart, in conformity with the spirit and meaning of the act incorporating said company.

The said amendment proposed as a substitute, reads as follows, viz:

WHEREAS, it has been represented to the General Assembly, that great grievance is imposed on certain citizens of the counties of Fleming and Nicholas, by the location of the gates on the Maysville and Lexington Turnpike Road, in contravention of the true spirit and meaning of the charter of said company, said gates being so located adjacent to the Blue Licks, that *three* tolls are collected within six miles. For remedy whereof,

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That from and after the passage of this act, it shall be the duty of the President and Directors of said road, to distribute the gates on said road five miles apart, as near as can be, in view of the provisions in the original charter respecting towns.

Sec. 2. *Be it further enacted,* That until such distribution of said gates be made, that but one toll shall be collectable of any citizen of the county of Fleming, residing within five miles of the line of said road, and that section of said road between Licking river and Johnson's fork, or of any citizen of the county of Nicholas, residing with ——— of Licking river.

Mr. Williams moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. S. Botts and Desha, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,	Hanson,	Riddle,
Board,	Hay,	Salter,
Bowman,	Hobbs,	Smith,
Bowmar,	Hoy,	Spurr,
Bradford,	Irvine, J.	Talbutt,
Bush,	Johnston,	Tandy,
Clarke,	Jones, J. R.	Wade,
Cobb,	Jones, W. L.	Waller,
Coleman,	Marshall,	Wheeler,
Foley,	McHenry,	White,
Gilbert,	Meriwether,	Williams.
Graves,	Owens,	Young—36.

Those who voted in the negative, were—

Mr. Speaker,	Evans,	Oglesby,
Messrs. Abell,	Glenn,	Pearl,
Alexander,	Haggard,	Poor,
Armstrong,	Hager,	Procter,
Beeler,	Hall,	Purdum,
Bell,	Harrison,	Reed,
Botts, A. G.	Hord,	Rhea,
Botts, W. S.	Ireland,	Rouse,
Brown,	Irvine, D.	Soery,
Crawford,	Jordan,	Spalding,
Crockett,	Mansfield,	Steele,
Covington,	Mayhall,	Stevenson,
Desha,	McArthur,	Thomas,
Devereux,	McCallister,	Thompson,
Dickerson,	Mitchell,	Towles,
Durbin,	Moore,	Vertress,
Elliott, J.	Morton,	Walker,
Elliott, M.	Munford,	Wortham—55.
English,		

The question was then taken on adopting said amendment as a substitute, and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

Mr. W. S. Botts moved that said bill have its third reading now, and it was decided in the affirmative.

The said bill was then read a third time.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Waller and W. S. Botts, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Beeler,	Graves,	Purdom,
Bell,	Hoy,	Reed,
Board,	Ireland,	Rouse,
Botts, W. S.	Irvine, D.	Soery,
Bowmar,	Irvine, J.	Spalding,
Clarke,	Johnston,	Steele,
Coleman,	Jones, J. R.	Stevenson,
Crawford,	Jordan,	Thomas,
Crockett,	Mansfield,	Thompson,
Deshia,	Mayhall,	Towles,
Devereux,	McCallister,	Vertress,
Dickerson,	Moore,	Wade,
Durbin,	Munford,	Walker,
Elliott, J.	Oglesby,	Wheeler,
Elliott, M.	Pearl,	White,
Evans,	Phillips,	Wortham,
Fletcher,	Poor,	Wright—51.

Those who voted in the negative, were—

Mr. Speaker,	Hanson,	Owens,
Messrs. Alnut,	Harrison,	Page,
Armstrong,	Hay,	Riddle,
Bowman,	Hobbs,	Salter,
Bradford,	Hord,	Smith,
Bush,	Jones, W. L.	Spurr,
Cevington,	Marshall,	Talbutt,
English,	McArthur,	Tandy,
Foley,	McHenry,	Waller,
Gilbert,	Meriwether,	Williams,
Glenn,	Mitchell,	Young—35.
Haggard,	Morton,	

Resolved, That the title thereof be as aforesaid.

A message was received from the Senate, by Mr. Fox, asking leave to withdraw their report announcing their disagreement to a bill from this House, entitled, an act for the benefit of the Clerk of the Cumberland county court, which was granted, and the said bill was withdrawn.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act to change the time of holding the terms of the Court of Appeals, with amendments.

And that they had passed a bill and preamble and resolutions of the following titles, viz:

An act to incorporate the Lexington Gas Company.

A preamble and resolutions in relation to the unfinished turnpike roads in this State.

The amendments proposed by the Senate, to bills from this House of the following titles, viz:

An act for the establishment of fish traps.

An act to extend the mechanics' lien law of the city of Louisville, to the counties of Bourbon, Christian, Madison, Livingston, Shelby, Scott and Carroll counties.

Were taken up, twice read and concurred in.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act for the benefit of the Clerk of the Cumberland county court.

On motion of Mr. McHenry,

Ordered, That a message be sent to the Senate asking leave to withdraw the report of this House announcing the passage of a bill from the Senate, entitled, an act to add an additional term to the Mason, Adair, and Fleming circuit courts.

After a short time the messenger returned with said bill.

The House then took up the amendments proposed by the Senate, to a bill from this House, entitled, an act to incorporate the Licking and Lexington Railroad Company.

Mr. McHenry moved an amendment to said amendment.

Mr. Marshall moved an amendment as a substitute for the amendment of Mr. McHenry.

At half past 5 o'clock, P. M. Mr. Graves moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Armstrong and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Harrison,	Procter,
Beeler,	Hobbs,	Purdum,
Botts, W. S.	Ireland,	Reed,
Bowman,	Irvine, D.	Riddle,
Crawford,	Irvine, J.	Soery,
Crockett,	Jones, W. L.	Spalding,
Elliott, J.	Mansfield,	Steele,
Gilbert,	McHenry,	Thomas,
Glenn,	Moore,	Thompson,
Graves,	Morton,	Wheeler,
Haggard,	Oglesby,	Wortham,
Hanson,	Poor,	Young—36.

Those who voted in the negative, were—

Mr. Speaker,	Elliott, M.	Owens,
Messrs. Alexander,	Evans,	Pearl,
Alnut,	Foley,	Rhea,
Armstrong,	Hager,	Rouse,
Bell,	Hay,	Salter,
Board,	Hord,	Smith,
Botts, A. G.	Hoy,	Spurr,
Bowmar,	Johnston,	Stevenson,
Boyd,	Jones, J. R.	Stewart,
Brown,	Jordan,	Talbutt,
Bush,	Marshall,	Tandy,
Clarke,	Mayhall,	Vertress,
Coleman,	McArthur,	Wade,
Desha,	McCallister,	Walker,
Devereux,	Meriwether,	Waller,
Dickerson,	Mitchell,	Williams,
Durbin,	Munford,	Wright—51.

Mr. Haggard moved a call of the House.

And the question being taken thereon, it was decided in the negative.

Mr. Williams then moved to lay said bill and amendments on the table.

The Speaker decided the motion out of order.

From which decision of the Chair Mr. Haggard took an appeal.

The question was then put, shall the decision of the Chair stand as the judgment of the House? and it was decided in the affirmative.

At 6 o'clock, P. M., Mr. Procter moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Veritress and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Hall,	Procter,
Alexander,	Harrison,	Pardom,
Alnut,	Hoy,	Reed,
Beeler,	Ireland,	Riddle,
Botts, A. G.	Irvine, D.	Salter,
Botts, W. S.	Irvine, J.	Smith,
Bowman,	Johnston,	Soery,
Bradford,	Jones, W. L.	Spalding,
Coleman,	Jordan,	Steele,
Crawford,	Mansfield,	Stevenson,
Covington,	McHenry,	Tandy,
Devereux,	Mitchell,	Thomas,
Elliott, J.	Moore,	Thompson,
Gilbert,	Morton,	Wheeler,
Glenn,	Munford,	Wortham,
Graves,	Page,	Young--50.
Haggard,	Poor,	

Those who voted in the negative, were—

Mr. Speaker,	English,	Oglesby,
Messrs. Armstrong,	Evans,	Owens,
Bell,	Foley,	Pearl,
Board,	Hager,	Rhea,
Bowmar,	Hanson,	Rouse,
Boyd,	Hay,	Spurr,
Brown,	Hord,	Talbutt,
Bush,	Jones, J. R.	Vertress,
Clarke,	Marshall,	Wade,
Crockett,	Mayhall,	Walker,
Desha,	McArthur,	Waller,
Dickerson,	McCallister,	Williams,
Durbin,	Meriwether,	Wright—40.
Elliott, M.		

FRIDAY, FEBRUARY 26, 1847.

Mr. Wortham, from the committee on Privileges and Elections, made the following report, viz :

The committee on Privileges and Elections have, according to order, had under consideration the returns of the Sheriffs of this Commonwealth, and make thereon the following report: That in the opinion of this committee the following gentlemen are returned as duly elected to serve as members of this House of Representatives for the present General Assembly, viz :

- From the county of *Adair*—Robert B. Mays.
- From the county of *Allen*—George W. Mansfield.
- From the county of *Anderson*—Randall Walker.
- From the counties of *Ballard* and *McCracken*—John W. Crockett.
- From the county of *Barren*—William E. Munford and Asa Young.
- From the county of *Bath*—Felix M. Fletcher.
- From the county of *Boone*—Thomas Rouse.
- From the county of *Bourbon*—Charles Talbutt and Richard H. Hanson.
- From the county of *Boyle*—James P. Mitchell.
- From the county of *Bracken*—Thomas H. Bradford.
- From the counties of *Breathitt* and *Morgan*—James Elliott.
- From the county of *Breckinridge*—Joseph T. Smith.
- From the county of *Bullitt*—Michael O. Wade.
- From the counties of *Butler* and *Edmonson*—Lot W. Moore.
- From the county of *Caldwell*—Jesse Stevens.
- From the counties of *Calloway* and *Marshall*—Alfred Johnston.
- From the county of *Campbell*—James M. McArthur.
- From the counties of *Carroll* and *Gallatin*—John P. Tandy.
- From the counties of *Carter* and *Lawrence*—George W. Crawford.

From the county of *Casey*—Winston Bowman.
 From the county of *Christian*—Daniel H. Harrison and Joab Clarke.
 From the county of *Clarke*—James H. G. Bush.
 From the counties of *Clay*, *Letcher* and *Perry*—Daugherty White.
 From the counties of *Cumberland* and *Clinton*—David R. Haggard.
 From the county of *Crittenden*—Henry R. D. Coleman.
 From the county of *Daviess*—John P. Devereux.
 From the counties of *Estill* and *Owsley*—John H. Riddle.
 From the county of *Fayette*—Leslie Combs and Richard Spurr.
 From the county of *Fleming*—William S. Botts and William M. Phillips.
 From the counties of *Floyd*, *Pike* and *Johnson*—Daniel Hager.
 From the county of *Franklin*—William D. Reed.
 From the county of *Garrard*—Gabriel J. Salter.
 From the county of *Grant*—Peter Ireland.
 From the county of *Graves*—John A. Board.
 From the county of *Grayson*—Charles Wortham.
 From the county of *Green*—Ignatius Abell and George W. Towles.
 From the county of *Greenup*—Jeff. Evans.
 From the county of *Hancock*—William D. Mayhall.
 From the county of *Hardin*—Thomas D. Brown and William D. Ver-
 tress.
 From the county of *Harrison*—Lucius Desha and Napoleon M. Durbin.
 From the county of *Hart*—John Bowmar.
 From the county of *Henderson*—John E. McCallister.
 From the county of *Henry*—Charles E. Marshall.
 From the counties of *Hickman* and *Fulton*—Newton E. Wright.
 From the county of *Hopkins*—Samuel Morton.
 From the county of *Jefferson*—Edward D. Hobbs and David Meriwether.
 From the county of *Jessamine*—Joseph W. Thompson.
 From the county of *Kenton*—John W. Stevenson.
 From the counties of *Knox* and *Harlan*—Radford M. Cobb.
 From the county of *Larue*—William Beeler.
 From the counties of *Laurel* and *Rockcastle*—Granville Pearl.
 From the county of *Lewis*—Larkin J. Procter.
 From the county of *Lincoln*—Benjamin F. Purdom.
 From the county of *Livingston*—Robertus S. Boyd.
 From the county of *Logan*—Albert G. Rhea and Drury W. Poor.
 From the city of *Louisville*—Gwyn Page and John Irvine.
 From the county of *Madison*—David Irvine and David Martin.
 From the county of *Marion*—Edmund A. Graves.
 From the county of *Mason*—Henry Waller and James B. Hord.
 From the county of *Meade*—William Alexander.
 From the county of *Mercer*—Peter Jordan.
 From the county of *Monroe*—Micajah Oglesby.
 From the county of *Montgomery*—Madison Stewart.
 From the county of *Muhlenburg*—Wiley S. Hay.
 From the county of *Nelson*—Albert G. Botts and Nathaniel G. Thomas.
 From the county of *Nicholas*—John Hall.
 From the county of *Oldham*—George Armstrong.
 From the county of *Owen*—William W. Alant.

From the county of *Ohio*—Robert T. Bell.
 From the county of *Pendleton*—John Wheeler.
 From the county of *Pulaski*—Milford Elliott.
 From the county of *Russell*—Hector Owens.
 From the county of *Scott*—Lucien B. Dickerson.
 From the county of *Simpson*—John Hoy.
 From the county of *Shelby*—Martin D. McHenry and William L. Jones.
 From the county of *Spencer*—James Gilbert.
 From the county of *Todd*—Robert E. Glenn.
 From the county of *Trigg*—William Soery.
 From the county of *Trimble*—Samuel S. English.
 From the county of *Union*—Ignatius A. Spalding.
 From the county of *Warren*—Euclid M. Covington.
 From the county of *Washington*—John R. Jones.
 From the county of *Wayne*—Sherrod Williams.
 From the county of *Whitley*—Jonathan Foley.
 From the county of *Woodford*—John Steele.

1. Mr. Meriwether presented the petition of the citizens of Portland, in favor of the Louisville and Frankfort Railroad terminating at that town.

2. Also, the remonstrance of sundry citizens of Jefferson county, against the charter of the Louisville and Frankfort Railroad.

3. Mr. Hobbs presented the petition of sundry citizens of Jefferson county, praying for the completion of the Railroad from Louisville to Frankfort.

4. Mr. Crawford presented the petition of C. Rice, praying that time may be allowed him to list and collect fee bills and arrearages of taxes.

Which were received, the reading dispensed with, and the 1st, 2d and 3d laid on the table, and the 4th was referred to Messrs. Crawford, Board and Johnson.

Leave was given to bring in the following bill, viz:

On the motion of Mr. Foley.—A bill for the benefit of Isom Jones, of Whitley county.

Ordered, That Messrs. Foley, English and Pearl prepare and bring in the same.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act for the benefit of Jacob Corbett.

An act to settle and adjust the claim of John Bussing.

An act to amend the several acts incorporating the city of Maysville.

An act for the benefit of the town of Madisonville, in Hopkins county.

An act to change the time of holding the terms of the Court of Appeals.

An act to amend the law on the subject of apprehending runaway slaves.

Were taken up, twice read, and concurred in.

Mr. McHenry moved a re-consideration of the vote passing the bill from the Senate, entitled, an act to add an additional term to the Mason, Adair and Fleming circuit courts, and it was decided in the affirmative.

The votes dispensing with the third reading and ordering said bill to be read a third time, having been re-considered,

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read as follows: "An act to add an additional term to the Adair circuit court."

A bill from the Senate, entitled, an act to amend and reduce into one the several acts relating to the town of Georgetown,

Was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. McHenry moved an amendment to said bill.

Ordered, That said bill and amendment be referred to the committee on the Judiciary.

Mr. McHenry, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:

- An act providing for the construction and protection of Morse's Magnetic Telegraph in Kentucky.

An act making copies of water leases, which have been recorded, evidence.

An act for the benefit of Elizabeth Jane Smith and others.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Meriwether,

Ordered, That a message be sent to the Senate, asking leave to withdraw the report of this House, announcing their disagreement to a bill from the Senate, entitled, an act authorizing Robert Triplett and Alexander B. Barrett to bring certain slaves into this Commonwealth.

After a short time the messenger returned with said bill.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary.—A bill for the benefit of the heirs and devisees of Reuben Miles, deceased, and Ann Maria Myers.

By same.—A bill for the benefit of Mary S. Brewer and Mildred N. Buckner.

By same.—A bill to authorize Notaries Public to take depositions and administer oaths.

By same.—A bill to amend the charter of the city of Louisville.

By same.—A bill for the benefit of the heirs of Thomas Downton.

By same.—A bill for the benefit of John R. Desha.

By same.—A bill for the benefit of Albert G. Tabacott and Calvin C. Day.

By same.—A bill to change the time of holding the Montgomery county court.

By same.—A bill to incorporate the Hopkinsville Water Works Company.

By same.—A bill for the benefit of the heirs of Christer B. Martinie, deceased.

By same.—A bill for the benefit of the devisees of John Bradshaw, deceased.

By Mr. Hanson.—A bill to establish a Chancery term of the Bourbon circuit court.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the committee on the Judiciary, reported a bill for the benefit of John V. Cowling.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Mr. Salter moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Salter and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Armstrong,
Bowman,
Bush,
Cobb,
Elliott, M.
Graves,
Haggard,
Hall,

Hanson,
Ireland,
Jones, J. R.
Mitchell,
Owens,
Pearl,
Phillips,
Procter

Riddle,
Rouse,
Salter,
Stewart,
Talbutt,
White,
Williams,
Wright—25.

Those who voted in the negative, were—

Messrs. Abell,	Fletcher,	Meriwether,
Alexander,	Foley,	Moore,
Alnut,	Gilbert,	Morton,
Beeler,	Glenn,	Oglesby,
Bell,	Hager,	Page,
Board,	Harrison,	Poor,
Botts, W. S.	Hay,	Rhea,
Bowmar,	Hobbs,	Smith,
Boyd,	Hord,	Soery,
Bradford,	Hoy,	Spalding,
Brown,	Irvine, D.	Tandy,
Clarke,	Irvine, J.	Thomas,
Coleman,	Johnston,	Thompson,
Crawford,	Jones, W. L.	Towles,
Covington,	Mansfield,	Vertress,
Desh,	Marshall,	Wade,
Dickerson,	Mayhall,	Walker,
Durbin,	McArthur,	Waller,
Elliott, J.	McCallister,	Wortham,
English,	McHenry,	Young—61.
Evans,		

Ordered, That said bill be engrossed and read a third time.

Mr. Page moved to dispense with the third reading of said bill.

And the question being taken thereon it was decided in the negative, it requiring a majority of four fifths.

The yeas and nays being required thereon by Messrs. Salter and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Foley,	Moore,
Messrs. Abell,	Gilbert,	Morton,
Alexander,	Glenn,	Munford,
Beeler,	Hager,	Oglesby,
Bell,	Hall,	Page,
Board,	Hanson,	Poor,
Botts, W. S.	Harrison,	Reed,
Bowmar,	Hay,	Smith,
Boyd,	Hobbs,	Soery,
Bradford,	Hord,	Spalding,
Brown,	Hoy,	Talbutt,
Clarke,	Irvine, D.	Tandy,
Cobb,	Irvine, J.	Thomas,
Coleman,	Johnston,	Thompson,
Crawford,	Jones, J. R.	Towles,
Covington,	Jones, W. L.	Vertress,
Devereux,	Mansfield,	Walker,
Dickerson,	Marshall,	Waller,
Durbin,	Mayhall,	Wheeler,

Elliott, J.
English,
Evans,
Fletcher,

McCallister,
McHenry,
Meriwether,
Mitchell,

Williams,
Wortham,
Wright,
Young—69.

Those who voted in the negative, were—

Messrs. Alnut,
Armstrong,
Bowman,
Bush,
Desha,
Elliott, M.

Graves,
Haggard,
Ireland,
McArthur,
Owens,
Pearl,

Phillips,
Riddle,
Rouse,
Salter,
Stewart—17.

Mr. Meriwether moved a re-consideration of the vote disagreeing to a bill from the Senate, entitled, an act authorizing Robert Triplett and Alexander B. Barrett to bring certain slaves into this Commonwealth.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Alnut, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
Alexander,
Beeler,
Bell,
Board,
Botts, A. G.
Botts, W. S.
Bowmar,
Bradford,
Brown,
Clarke,
Coleman,
Crawford,
Covington,
Devereux,
Dickerson,
Elliott, J.
English,

Evans,
Fletcher,
Gilbert,
Glenn,
Hager,
Harrison,
Hay,
Hoy,
Johnston,
Jones, W. L.
Mansfield,
Marshall,
Mayhall,
McArthur,
McCallister,
Meriwether,
Mitchell,
Moore,

Oglesby,
Page,
Pearl,
Poor,
Reed,
Rhea,
Smith,
Soery,
Spalding,
Stevenson,
Thompson,
Wade,
Walker,
Waller,
Williams,
Wortham,
Wright,
Young—55.

Those who voted in the negative, were—

Messrs. Alnut,
Armstrong,
Bowman,
Boyd,
Bush,
Cobb,
Durbin,
Elliott, M.

Hall,
Hanson,
Hobbs,
Hord,
Ireland,
Irvine, J.
Jones, J. R.
McHenry,

Owens,
Phillips,
Riddle,
Rouse,
Salter,
Talbutt,
Tandy,
Thomas,

Foley,
Graves,
Haggard,

Morton,
Munford,

Towles,
Wheeler—31.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Alnut, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Fletcher,	Oglesby,
Alexander,	Gilbert,	Page,
Bell,	Glenn,	Poor,
Board,	Hager,	Reed,
Botts, W. S.	Harrison,	Rhea,
Bowmar,	Hoy,	Smith,
Brown,	Johnston,	Soery,
Clarke,	Jones, W. L.	Spalding,
Coleman,	Mansfield,	Stevenson,
Crawford,	Marshall,	Thompson,
Crockett,	Mayhall,	Towles,
Covington,	McArthur,	Wade,
Devereux,	McCallister,	Williams,
Dickerson,	Meriwether,	Wortham,
English,	Mitchell,	Wright,
Evans,	Moore,	Young—48.

Those who voted in the negative, were—

Mr. Speaker,	Graves,	Pearl,
Messrs. Alnut,	Haggard,	Phillips,
Armstrong,	Hall,	Riddle,
Beeler,	Hanson,	Rouse,
Botts, A. G.	Hobbs,	Salter,
Bowman,	Hord,	Spurr,
Boyd,	Ireland,	Stewart,
Bradford,	Irvine, J.	Talbutt,
Cobb,	Jones, J. R.	Tandy,
Desha,	Morton,	Thomas,
Durbin,	Munford,	Walker,
Elliott, M.	Owens,	Wheeler—37.
Foley,		

Resolved, That the title thereof be as aforesaid.

A message was received from the Senate, announcing their disagreement to bills from this House, of the following titles, viz:

An act to amend the rules of Chancery practice.

An act to change the county line between the counties of Floyd and Pike.

An act to change the time of holding the spring term of the Whitley circuit court.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of A. M., Clifford N., Henry B. and Sydney T. Fontaine.

An act for the benefit of John D. Gilmore.

An act authorizing the county court of Morgan to sell public grounds.

An act to incorporate the Synephebian Society of Masonic College, Lexington, Kentucky.

An act for the benefit of William Calmes.

An act for the benefit of the Jailor of Nelson county.

An act for the benefit of Amariah Moore.

An act to incorporate the town of Elizabethtown, in Hardin county.

An act for the benefit of Thomas Florence, of Hardin county.

An act to establish the town of Lairsville, in Russell county.

An act to extend the constable's district which includes the town of Frankfort.

An act for the benefit of Oscar Pepper.

An act to regulate the price of vacant lands in Clay county.

An act to allow the burning of the woods in a portion of Clay county.

An act to authorize the Trustees of the Stone Meeting House, of the Methodist Church, in Jefferson county, to sell said house and lot.

An act to amend the charter of the city of Covington.

An act to incorporate the town of Booneville, in Owsley county.

An act for the benefit of James Buford and wife.

An act for the benefit of Anna Maria Crockett and her children.

An act to extend the jurisdiction of the Police Judge of Morganfield.

An act for the benefit of Emily McDowell.

An act to allow an additional term to the Cumberland circuit court.

An act to incorporate the Dover and Minerva Turnpike Road Company.

An act to regulate the terms of the Scott circuit court, and for other purposes.

An act to incorporate the town of East Maysville.

An act to amend the law in reference to the town of Hopkinsville.

With amendments to the three last named bills.

And that they had concurred in the resolution from this House, for the joint action of the committee on Claims and committee on Finance.

That they had passed bills of the following titles, viz:

An act for the benefit of certain Justices of the Peace.

An act for the benefit of Matilda Ann Simmons, widow and devisee of Wm. W. Simmons, deceased, and the children and devisees of said Simmons.

An act for the benefit of the heirs at law of Nelly White, deceased.

An act to explain the law relating to bills of exception.

An act to add an additional term to the Bracken circuit court.

An act for the benefit of Jonathan Hathaway and Benjamin S. Hoffman.

An act to promote the growth and manufacture of silk.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Firemans' Insurance Company, of Lexington.

An act for the benefit of Martha Elizabeth Cleaveland.

An act to regulate the number of Justices of the Peace in the town of Greensburg.

An act relating to the Penitentiary and requiring a new bond from the Kesper.

An act for the benefit of James Stinson, of Pulaski county.

An act for the benefit of James C. Brewer, commissioner of tax for Perry county.

An act for the benefit of James P. Tyler, of Fulton county.

An act for the benefit of John D. Blackford.

An act to amend the charter of the city of Lexington.

An act for the benefit of the Trustees of the town of Shepherdsville in Bullitt county.

An act to amend the law in relation to binding out poor children in this Commonwealth.

An act to incorporate the town of Harrisonville, in Shelby county.

And bills which originated in this House of the following titles, viz:

An act to incorporate the Carlisle and Sharpsburg Turnpike Road Company.

An act to incorporate the Germantown Circulating Library Company.

An act to allow an additional Justice of the Peace to the county of Spencer.

An act for the benefit of John M. Morton.

An act for the benefit of the Maysville Guards.

An act authorizing the County Court of McCracken to sell the Seminary lands belonging to said county.

An act to amend the road law in the county of Bracken.

An act to authorize the county court of Campbell to change a State road.

An act for the benefit of Augustine B. Offutt.

An act for the benefit of the sheriff of Bullitt county.

An act to reduce the price of public lands in Adair county.

An act to change the place of voting in the Fox precinct, in the county of Fleming, and the Chesnut Grove precinct, in Shelby county.

An act to amend an act, entitled, an act providing for a State road from Adamsville, in Logan county, to Bowlinggreen, in Warren county.

An act to allow an additional Justice of the Peace to Meade county.

An act legalizing the organization and first election of officers by the Bank Lick Turnpike Road Company.

An act for the benefit of the citizens residing on the middle fork of the Kentucky river, in Clay county.

An act to increase the liabilities of sheriffs and their deputies.

An act allowing the Trustees of Burksville to change an alley in said town.

An act allowing flat boats and other water crafts, laden with the products of Carroll county, to pass over the dam at Lock No. 1, on the Kentucky river, free of toll in time of high water.

An act giving further time to the administrator of John Trimble to list certain fee bills for collection.

An act for the benefit of the clerk of the Cumberland county court.

An act authorizing Greenberry Reynolds to erect a mill dam on Salt river.

An act to suppress coffee houses in the town of Washington.

An act to allow an additional Justice of the Peace to Carter county.

An act to change the names of Eliza Jane Donaldson and others.

An act to extend the provisions of the mechanics' lien law of Louisville, to the counties of Mercer, Marion, Trimble and Jessamine.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Mr. Pearl moved a re-consideration of the vote refusing to dispense with the third reading of the bill for the benefit of John V. Cowling.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on dispensing with the third reading of said bill, and decided in the affirmative.

Resolved, That said bill do pass, and that the title be amended to read as follows: "an act for the benefit of John V. Cowling and Jesse A. Moorman."

Mr. McHenry, from the committee on the Judiciary, to whom was referred, a bill from the Senate, entitled, an act to establish the town of Monterey, in Owen county, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred a bill concerning Justices of the Peace, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Boyd and Oglesby, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hord,	Procter,
Messrs. Abell,	Hoy,	Purdorn,
Botts, W. S.	Irvine, D.	Reed,
Bush,	McArthur,	Rhea,
Clarke,	McHenry,	Rouse,
Cobb,	Meriwether,	Salter,
Covington,	Mitchell,	Smith,
Elliott, M.	Moore,	Thomas,
Evans,	Munford,	Thompson,
Foley,	Oglesby,	Wade,
Gilbert,	Page,	Waller,
Hay,	Phillips,	Wortham—38.
Hobbs,	Poor,	

Those who voted in the negative, were—

Messrs. Alexander,	Elliott, J.	Owens,
Beeler,	Glenn,	Riddle,
Board,	Graves,	Soery,
Bowman,	Haggard,	Spalding,
Bowmar,	Hager,	Spurr,
Boyd,	Hanson,	Talbutt,
Bradford,	Harrison,	Tandy,
Coleman,	Ireland,	Towles,
Crawford,	Johnston,	Vertress,
Crockett,	Jones, J. R.	Walker,
Desha,	Mansfield,	Wheeler,
Devereux,	Marshall,	Williams,
Dickerson,	McCallister,	Wright—40.
Durbin,		

Mr. Williams moved a re-consideration of the vote rejecting said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was again put on engrossing and reading said bill a third time, and after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again resumed the consideration of the amendments proposed by the Senate, to a bill from this House, entitled, an act to incorporate the Licking and Lexington Railroad Company, and the amendments proposed to the amendments of the Senate.

Mr. Page moved to refer said amendments to a select committee, with instructions to report the same to the House at three o'clock, P. M.

Mr. Haggard moved to amend the instructions by striking out "3 o'clock, P. M.," and inserting "12 o'clock on Monday next."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haggard and Crockett, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Foley,	Owens,
Beeler,	Graves,	Pearl,
Bell,	Haggard,	Procter,
Board,	Hall,	Reed,
Bowman,	Hay,	Salter,
Bowmar,	Jones, J. R.	Soery,
Boyd,	Jones, W. L.	Spalding,
Bradford,	Marshall,	Thompson,
Cobb,	Mitchell,	Vertress,
Coleman,	Moore,	Walker,
Crockett,	Morton,	White,
English,	Oglesby,	Wortham—36.

Those who voted in the negative, were—

Mr. Speaker,	Glenn,	Phillips,
Messrs. Alexander,	Hager,	Poor,
Alnut,	Hanson,	Rhea,
Armstrong,	Harrison,	Riddle,
Botts, A. G.	Hobbs,	Rouse,
Botts, W. S.	Hord,	Smith,
Bush,	Hoy,	Spurr,
Clarke,	Ireland,	Stevenson,
Crawford,	Irvine, D.	Talbutt,
Covington,	Irvine, J.	Tandy,
Desha,	Johnston,	Thomas,
Devereux,	Mansfield,	Towles,
Dickerson,	Mayhall,	Wade,
Durbin,	McArthur,	Waller,
Elliott, J.	McCallister,	Wheeler,
Elliott, M.	McHenry,	Williams,
Evans,	Meriwether,	Wright,
Fletcher,	Munford,	Young—56.
Gilbert,	Page,	

The question was then taken on adopting the motion of Mr. Page, and it was decided in the affirmative.

Whereupon Messrs. Page, Williams, Stevenson, Desha, Hobbs, Hanson, Salter and Haggard, were appointed said committee.

Mr. W. S. Botts, from the committee on Public Offices, made the following report, viz:

The joint committee on Public Offices have embraced every opportunity afforded them, during the session, of discharging the duties assigned them, and take pleasure in saying that the condition of all the Public Offices is such as should be desired by the Legislature.

They gave a cursory examination to the books and papers of the Treasurer, 1st and 2d Auditors, and Register of the Land Office, and found them

neatly and accurately kept, and everything appeared to be in its proper place, and well arranged.

Since the last session of the Legislature all the Public Offices have, under a law then passed, been refitted, another story added, and metal fire proof roofs put on, they are now, for the first time, considered safe, and while the exterior appearance has been beautified, the interior arrangements are such as to give the necessary room, and ensure the safety of the books and papers, and add to the comfort of those having business in them.

All of which is respectfully submitted.

J. RUSSELL HAWKINS, *Ch'm. Sen. Com.*

JOHN W. RUSSELL,

WM. S. BOTTS, *Ch'm H. R. Com.*

JNO. P. DEVEREUX,

S. S. ENGLISH,

BEN. F. PURDOM.

A message was received from the Senate, announcing that they had adopted a resolution fixing an hour for the adjournment of the General Assembly.

The House then resolved itself into a committee of the whole, on the report and resolutions of the committee on Federal Relations, in relation to the appointment of officers of the volunteers, Mr. Meriwether in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Meriwether reported that the committee had, according to order, had under consideration the report and resolutions aforesaid, and had instructed him to report the same to the House without amendment, which he handed in at the Clerk's table.

The Speaker proposed, with the permission of the House, the following as a substitute for said report and resolutions, viz:

1. *Resolved*, That as the Constitution of the United States authorizes Congress "to raise and support armies,"—"to provide and maintain a navy"—"to provide for organizing, arming, and disciplining the militia"—and "for governing such part of them as may be employed in the service of the United States, *reserving to the States respectively, the appointment of the officers and the authority of training them according to the discipline prescribed by Congress,*" it recognizes but two great classes of military force; *ONE*, being the land and naval forces, raised and maintained by Congress. *THE OTHER*, the militia of the States, to which respectively, the appointment of the officers is expressly reserved.

2. *Resolved*, That the Constitution of the United States does not recognize any other or intermediate class between United States' regulars and State militia—that, in the Constitution, there is no difference attempted to be made between State *volunteer* militia and State *drafted* militia, and that the constitutional right secured to the militia, to be under the command of officers elected by themselves or appointed by State authority, is not forfeited by their becoming *volunteers*. The fact of volunteering does not make them United States' regular soldiers.

3. *Resolved*, That when the government of the United States makes requisitions on the States, to furnish troops "to execute the laws of the Union,

suppress insurrection, repel invasions," or aid in the prosecution of a war against a foreign power, the States thus called on, have the right to appoint *all the officers* necessary for the efficient command and action of the corps thus called for, to enter into the service of the United States—and after such corps has been thus officered and mustered into service, it is subject to the orders of the President of the United States.

4. *Resolved*, That a copy of these resolutions be forwarded, by the Governor, to the President of the United States, and to each of our Senators and members of Congress.

Ordered, That said report and resolutions, and substitute, be postponed until 5 o'clock on Monday next.

A message was received from the Senate, asking leave to withdraw their report announcing their disagreement to a bill from this House, entitled, an act for the benefit of William S. Patterson; which was granted and the bill was withdrawn.

Mr. Page, from the committee to whom was referred the amendments proposed by the Senate to a bill from this House, entitled, an act to incorporate the Licking and Lexington Railroad Company, reported the same with amendments.

The amendment proposed by the Senate to said bill, was to incorporate a company to construct a Railroad from the city of Louisville to Frankfort.

The first and second amendments to said amendment, were then concurred in.

The third amendment proposed by said committee, to the amendment of the Senate, was to strike out of the amendment of the Senate the 57th and 58th sections, and insert in lieu thereof the following, viz:

That the President and Directors of said company shall cause to be paid into the Treasury of this Commonwealth, a tax of twenty five cents, annually, on each share of stock owned and held by any stockholder of said company, the same to be collected as now or hereafter may be provided by law, for the collection of the State revenue: *Provided*, That no citizen of this Commonwealth shall be required to list any share he may hold in said road, under the equalization law, and the tax imposed by this act, shall be collected only upon the cost of the road, as it may be completed and put in use.

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Soery, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
Alexander,
Alnut,
Beeler,
Bell,

Gilbert,
Glenn,
Graves,
Haggard,
Hager,
Hall,

Owens,
Page,
Pearl,
Phillips,
Poor,
Procter,

Board,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,
Brown,
Bush,
Clarke,
Cobb,
Coleman,
Crockett,
Covington,
Desha,
Devereux,
Dickerson,
Durbin,
Elliott, J.
Elliott, M.
English,
Evans,
Fletcher,
Foley,

Hanson,
Harrison,
Hay,
Hobbs,
Hord,
Hoy,
Ireland,
Irvine, D.
Irvine, J.
Johnston,
Jones, J. R.
Jones, W. L.
Mansfield,
Marshall,
Mayhall,
McArthur,
McCallister,
McHenry,
Meriwether,
Mitchell,
Morton,
Munford,
Oglesby,

Reed,
Rhea,
Riddle,
Rouse,
Salter,
Soery,
Spalding,
Spurr,
Stevenson,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Vertress,
Wade,
Walker,
Waller,
Wheeler,
White,
Williams.
Wortham,
Young—88.

Those who voted in the negative—none.

The question was then taken on the adoption of the amendment of the Senate, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haggard and Wortham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alexander,
Armstrong,
Botts, A. G.
Botts, W. S.
Bowmar,
Bush,
Crawford,
Covington,
Desha,
Devereux,
Dickerson,
Durbin,
Elliott, J.
Elliott, M.

Evans,
Fletcher,
Glenn,
Graves,
Hanson,
Harrison,
Hobbs,
Hord,
Hoy,
Irvine, J.
Mayhall,
McArthur,
McCallister,
Meriwether,
Munford,

Page,
Phillips,
Poor,
Purdom,
Rhea,
Rouse,
Smith,
Spurr,
Stevenson,
Talbutt,
Towles,
Waller,
Wheeler,
Wright,
Young—45.

Those who voted in the negative, were—

Messrs. Abell,
Alnuz,

Hager,
Hall,

Procter,
Reed,

Beeler,
Bell,
Board,
Bowman,
Boyd,
Bradford,
Clarke,
Cobb,
Coleman,
Crockett,
English,
Foley,
Gilbert,
Haggard,

Hay,
Ireland,
Irvine, D.
Johnston,
Jones, J. R.
Jones, W. L.
Mansfield,
Marshall,
McHenry,
Mitchell,
Morton,
Oglesby,
Owens,
Pearl,

Riddle,
Salter,
Soery,
Spalding,
Tandy,
Thomas,
Thompson,
Vertress,
Wade,
Walker,
White,
Williams,
Wortham—47.

Mr. Williams moved a re-consideration of the vote dis-agreeing to said amendment of the Senate, as amended.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Salter and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alexander,
Armstrong,
Botts, A. G.
Botts, W. S.
Bowmar,
Bradford,
Brown,
Bush,
Crawford,
Covington,
Desha,
Devereux,
Dickerson,
Durbin,
Elliott, J.
Evans,

Fletcher,
Gilbert,
Glenn,
Graves,
Hanson,
Harrison,
Hobbs,
Hord,
Hoy,
Irvine, J.
Mayhall, "
McArthur,
McCallister,
Meriwether,
Moore,
Munford,
Page,

Phillips,
Poor,
Rhea,
Rouse,
Smith,
Spurr,
Stevenson,
Stewart,
Talbutt,
Thomas,
Towles,
Wade,
Waller,
Wheeler,
Williams,
Wright,
Young—51.

Those who voted in the negative, were—

Messrs. Abell,
Alout,
Beeler,
Bell,
Board,
Bowman,
Boyd,
Clarke,
Cobb,
Coleman,

Hager,
Hall,
Hay,
Ireland,
Irvine, D.
Johnston,
Jones, J. R.
Jones, W. L.
Mansfield,
Marshall,

Pearl,
Purdom,
Reed,
Riddle,
Salter,
Soery,
Spalding,
Steele,
Tandy,
Thompson,

Crockett,
Elliott, M.
English,
Foley,
Haggard,

McHenry,
Mitchell,
Morton,
Oglesby,
Owens,

Vertress,
Walker,
White,
Wortham—44.

The question was again taken on concurring in the amendments of the Senate, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Board, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alexander,
Armstrong,
Botts, A. G.
Botts, W. S.
Bowmar,
Bradford,
Brown,
Bush,
Crawford,
Covington,
Desha,
Devereux,
Dickerson,
Durbin,
Elliott, J.
Elliott, M.

Evans,
Fletcher,
Glenn,
Graves,
Hanson,
Harrison,
Hobbs,
Hord,
Hoy,
Irvine, J.
Mayhall,
McArthur,
McCallister,
Meriwether,
Munford,
Page,
Phillips,

Poor,
Procter
Rhea,
Rouse,
Smith,
Spurr,
Stevenson,
Stewart,
Talbutt,
Towles,
Wade,
Waller.
Wheeler,
Williams,
Wright,
Young—50.

Those who voted in the negative, were—

Messrs. Abell,
Alnut,
Beeler,
Bell,
Board,
Bowman,
Boyd,
Clarke,
Cobb,
Coleman,
Crockett,
English,
Foley,
Gilbert,
Haggard,
Hager,

Hall,
Hay,
Ireland,
Irvine, D.
Johnston,
Jones, J. R.
Jones, W. L.
Mansfield,
Marshall,
McHenry,
Mitchell,
Moore,
Morton,
Oglesby,
Owens,

Pearl,
Purdom,
Reed,
Riddle,
Salter,
Soery,
Spalding.
Steele,
Tandy,
Thomas,
Thompson,
Vertress,
Walker,
White,
Wortham—46.

A message was received from the Governor, by Mr. Kinhead, Secretary of State, announcing that he had approved and signed enrolled bills and resolutions which originated in this House, of the following titles, viz:

An act for the benefit of the town of Portland.

An act for the benefit of W. G. Simpson, H. Todd, H. H. Calvert, and for other purposes.

An act for the benefit of Martin Fugate, late sheriff of Pendleton county.

An act for the benefit of Christopher C. Lillard and others, sheriffs of Anderson county.

An act for the benefit of the sheriff of Owsley county.

An act for the benefit of Clinton Nash.

An act to amend an act, entitled, an act to incorporate the Cumberland Female Academy, and for other purposes, approved 1st February, 1837.

An act for the benefit of Elizabeth Shoemaker.

An act to change the names of Mary Elizabeth McFall and others.

An act for the benefit of Henry G. Mitchell, of Warren county.

An act for the benefit of Thomas May and George B. Adams.

An act for the benefit of John Cottingham and wife.

An act to amend an act, entitled, an act to incorporate the town of Independence.

An act for the benefit of Taylor Pember.

An act for the benefit of A. P. Churchill, and others.

An act authorizing the county court of Nicholas to change or discontinue a State road.

An act for the benefit of David and Opie J. Lindsey, Trustees under the will of Thomas Lindsey, deceased.

An act for the benefit of the Lexington and Covington Turnpike Company.

An act to regulate the appointment of Trustees for the Knox County Seminary, and for other purposes.

An act to authorize the county court of Grayson to change the State roads in said county.

An act to change the names of Thomas and Jane Holder, John and Lucy M. Bradley, John S. Cocks, Polly Bowls, and Rebecca A. Chevalier, and her children.

An act for the benefit of the Baptist Church, at Fish Pools, in Jefferson county.

An act for the benefit of the sheriff of Union county, and for other purposes.

An act to incorporate the towns of Pikeville and Paintsville.

An act to incorporate a company to be called "The Ohio Line."

An act for the divorce of Louisa Hagin.

An act to divorce Cyrus Pharis from his wife, Mary Pharis.

An act to incorporate a company to construct a turnpike road from Burlington to Florence, in Boone county.

An act to amend the charter of the Louisville Turnpike Road Company.

An act authorizing the sale of the Upper White Oak Church, in Bath county.

An act to establish the town of Cornishville.

An act to allow an additional constable to Pulaski county.

Approved February 23, 1847.

Resolutions complimentary to General Taylor and the officers and soldiers under his command, and for other purposes.

Resolutions for presenting the widow of the late Philip Norbourn Barbour a sword, and for the interment of his remains in the Frankfort Cemetery.

Approved February 23, 1847.

Mr. W. L. Jones moved a reconsideration of the vote referring to the committee on the Judiciary, the bill from the Senate, entitled, an act to amend and reduce into one the several acts relating to the town of Georgetown, and the amendments proposed thereto.

And the question being taken thereon, it was decided in the affirmative.

The said amendments were then concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Resolved, That this House insist on their first amendment to a bill from the Senate, entitled, an act to change the place of voting from Seaton Lee's, in Pulaski county, and for other purposes.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act for the benefit of John R. Desha, with an amendment.

The said amendment was then twice read and concurred in.

Resolved, That this House concur in the amendments proposed by the Senate, to a bill from this House, entitled, an act to regulate the terms of the Scott circuit court, and for other purposes, with an amendment.

The amendments proposed by the Senate, to bills from this House of the following titles, viz:

An act to incorporate the town of East Maysville.

An act to amend the law in reference to the town of Hopkinsville.

Were taken up, twice read, and concurred in.

A bill from the Senate, entitled, an act to divorce Tamsey Chadwell, was read a second time.

Ordered, That said bill be read a third time.

A bill from the Senate, entitled, an act to change the place of voting in Simm's precinct, in Mercer county, to Cornishville, was read the first time.

Ordered, That said bill be laid on the table.

Mr. A. G. Botts, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act for the benefit of Harriet and Anderson R. Murray, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Vertress, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hanson,	Procter,
Messrs. Alexander,	Harrison,	Purdom,
Alnut,	Hay,	Reed,
Board,	Hobbs,	Rhea,
Botts, A. G.	Hoy,	Smith,
Botts, W. S.	Ireland,	Soery,
Boyd,	Irvine, J.	Spalding,
Brown,	Johnston,	Spurr,
Bush,	Jones, J. R.	Stevenson,
Cobb,	Jones, W. L.	Talbutt,
Coleman,	Mansfield,	Tandy,
Covington,	Marshall,	Thomas,
Desha,	Mayhall,	Thompson,
Devereux,	McArthur,	Towles,
Dickerson,	McCallister,	Wade,
Elliott, J.	Moore,	Walker,
Evans,	Morton,	Waller,
Fletcher,	Oglesby,	White,
Foley,	Owens,	Williams,
Glenn,	Page,	Wortham,
Haggard,	Pearl,	Wright,
Hager,	Poor,	Young—66.

Those who voted in the negative, were—

Messrs. Abell,	Elliott, M.	Mitchell,
Armstrong,	Gilbert,	Munford,
Bell,	Graves,	Phillips,
Bowman,	Irvine, D.	Riddle,
Bowmar,	McHenry,	Vertress—16.
Clarke,		

Resolved, That the title thereof be as aforesaid.

A message was received from the Senate, announcing that they adhere to their disagreement to the first amendment of this House, to a bill from the Senate, entitled, an act to change the place of voting from Seaton Lee's, in Pulaski county, and for other purposes, and had appointed a committee of

conference on their part, to act in conjunction with a similar committee on the part of this House, in relation to the disagreement between the two Houses on said bill.

Whereupon, Messrs. M. Elliott, Wortham and Mitchell were appointed the committee on the part of this House.

Mr. A. G. Botts, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act to divorce Independent Gist and Elizabeth Porcher Gist, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Vertress, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hay,	Purdom,
Messrs. Alexander,	Hord,	Reed,
Beeler,	Hoy,	Rhea,
Board,	Ireland,	Smith,
Botts, A. G.	Johnston,	Soery,
Botts, W. S.	Jones, J. R.	Spalding,
Boyd,	Mansfield,	Spurr,
Bush,	Marshall,	Stewart,
Covington,	McArthur,	Talbutt,
Desha,	McCallister,	Tandy,
Devereux,	Meriwether,	Thompson,
Dickerson,	Moore,	Towles,
Durbin,	Morton,	Wade,
Elliott, J.	Oglesby,	Walker,
Evans,	Owens,	Waller,
Fletcher,	Page,	Williams,
Hager,	Pearl,	Wortham,
Hanson,	Poor,	Wright—54.

Those who voted in the negative, were—

Messrs. Abell,	Foley,	Mayhall,
Alnut,	Gilbert,	McHenry,
Armstrong,	Graves,	Munford,
Bell,	Haggard,	Phillips,
Bowman,	Hall,	Riddle,
Bowmar,	Harrison,	Rouse,
Bradford,	Hobbs,	Stevenson,
Clarke,	Irvine, D.	Thomas,
Cobb,	Irvine, J.	Vertress,
Coleman,	Jones, W. L.	Young—30.

Resolved, That the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act for the benefit of Thomas D. Honaker and David Robinson, of Pike county, and for other purposes.

And asked leave to withdraw their report announcing their disagreement to a bill from this House, entitled, an act for the benefit of Robert Williams, which was granted, and the bill was withdrawn.

And then the House adjourned.

SATURDAY, FEBRUARY 27, 1847.

Mr. Bush presented the petition of sundry citizens of Winchester, praying the passage of a law prohibiting the sale of spirituous liquors in said town.

Which was received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

Mr. A. G. Botts, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act for the benefit of John and Harrison Dobbs, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate, of the following titles, viz:

An act for the benefit of Napoleon B. Burks and Eliza Jane Burks, his wife.

An act for the benefit of Burress A. Looman and W. G. Andrews Looman, of Fleming county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Mitchell, from the committee of Conference, on the disagreement between the two Houses on the bill from the Senate, entitled, an act to change the place of voting from Seaton Lee's, in Pulaski county, and for other purposes, made a report, which was concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Ways and Means—1. A bill for the benefit of John Morgan, sheriff of Perry county.

By Mr. Waller—2. A bill for the benefit of the children of Samuel Y. Garrison.

By Mr. Foley—3. A bill for the benefit of Isom Jones, of Whitley county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third reading of the 1st and 2d bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Bowman,

Ordered, That leave of absence for the remainder of the session be granted to Mr. Wortham.

Mr. Williams moved to dispense with the rules in order that the committee on Ways and Means might report a bill from the Senate in relation to the collection of the revenue.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Williams and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,	Durbin,	Mayhall,
Bell,	Elliott, J.	McArthur,
Board,	Evans,	Moore,
Bowman,	Fletcher,	Morton,
Bowmar,	Glenn,	Owens,
Boyd,	Graves,	Procter
Bradford,	Haggard,	Reed,
Bush,	Harrison,	Smith,
Clarke,	Hay,	Soery,
Cobb,	Hoy,	Spalding.
Coleman,	Ireland,	Tandy,
Crawford,	Johnston,	White,
Covington,	Mansfield,	Williams—39.

Those who voted in the negative, were—

Mr. Speaker,	Irvine, D.	Rouse,
Messrs. Abell,	Irvine, J.	Salter,
Alexander,	Jones, J. R.	Spurr,
Armstrong,	Jones, W. L.	Stevenson,
Beeler,	Marshall,	Talbutt,
Botts, W. S.	McCallister,	Thomas,
Dickerson,	McHenry,	Thompson,
Elliott, M.	Meriwether,	Vertress,
English,	Mitchell,	Wade,

Gilbert,
Hall,
Hanson,
Hobbs,
Hord,

Page,
Pearl,
Phillips,
Poor,
Riddle,

Walker,
Waller,
Wright,
Young—41.

Mr. McHenry, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:

An act to incorporate the Kentucky State Colonization Society.

An act for the benefit of James Fike, of Graves county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred a bill from the Senate, entitled, an act in relation to selling spirituous liquors to slaves, reported the same without amendment.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That if any person shall, either directly or indirectly, sell, give or barter spirituous or intoxicating liquors to any slave or slaves of this State, it shall be lawful for the owner or possessor of such slave or slaves, or the guardian, if any ward, or the executor or administrator of any estate to which any such slave may belong, to sue out in his, her or their name, a warrant against any such person or persons, directed to any constable of the county, citing them to trial before a Justice of the Peace for said county; and it shall be lawful on the trial for the plaintiff to call on the defendant to answer on oath such interrogatories as may be put to him, touching the charge in said warrant; and with a view to coerce the attendance of such defendant, the plaintiff may demand and have a summons commanding him to appear before the Justice before whom the warrant is returned on the trial, and answer on oath, such interrogatories as may be put to him as aforesaid. If the plaintiff shall prove the charge on the trial, by the oath of the defendant or otherwise, or the defendant after being summoned shall fail to attend and answer to interrogatories, it shall be the duty of the Justice to render a judgment with costs against the defendant, for any sum not less than ten nor more than fifteen dollars, for each and every offence proven.

SEC. 2. *Be it further enacted*, That if any person or persons, being the owner or owners, manager or managers of any trading boat or other water craft, shall either sell, give or barter any ardent spirits to any slave or slaves, he shall be liable to the penalties of this act; or shall sell by retail any ardent spirits to any person or persons within three miles of any iron works, viz: furnace, forge, or rolling mill, shall also be subject to the provisions and penalties of this act, unless he be a regular licensed tavern keeper, and sell according to the laws now in force licensing tavern keepers.

SEC. 3. *Be it further enacted*, That before a warrant shall be issued under the provisions of this act, the plaintiff shall take an oath that he has rea-

son to suspect and believe that the defendant is guilty of a violation of this statute: *Provided*, that this act shall not apply to any case where a slave or slaves shall be in the possession of a person or persons, other than the owner or owners of said slave, by hire from the owner or owners.

Mr. W. S. Botts moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glenn and Smith, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Haggard,	Procter,
Alnut,	Hanson,	Reed,
Beeler,	Hay,	Rhea,
Bell,	Hobbs,	Riddle,
Board,	Hoy,	Salter,
Botts, W. S.	Ireland,	Soery,
Bradford,	Johnston,	Tandy,
Clarke,	Mayhall,	Thompson,
Cobb,	Moore,	Towles,
Crawford,	Morton,	Vertress,
Elliott, J.	Owens,	Walker,
English,	Page,	Wheeler,
Foley,	Pearl,	Wright,
Graves,	Phillips,	Young—42.

Those who voted in the negative, were—

Mr. Speaker,	Gilbert,	Mitchell,
Messrs. Alexander,	Glenn,	Oglesby,
Armstrong,	Hall,	Poor,
Bowman,	Hord,	Rouse,
Bush,	Irvine, D.	Smith,
Coleman,	Irvine, J.	Spalding,
Desha,	Jones, J. R.	Steele,
Devereux,	Mansfield,	Talbutt,
Dickerson,	Marshall,	Thomas,
Durbin,	McArthur,	Wade,
Elliott, M.	McCallister,	Waller,
Evans,	McHenry,	Williams—38.
Fletcher,	Meriwether,	

A message was received from the Senate, announcing their concurrence in the amendments of this House, to the amendments of the Senate, to bills from this House of the following titles, viz:

An act to regulate the terms of the Scott circuit court, and for other purposes.

An act to incorporate the Licking and Lexington Railroad Company.

That they had disagreed to the amendment proposed by this House, to a bill from the Senate, entitled, an act to amend an act, entitled, an act for the benefit of C. J. Blackburn, approved February 7, 1845.

That they had disagreed to bills from this House of the following titles, viz:

An act for the benefit of Thornton F. Johnson.

An act to remodel and establish permanently the system of common schools in this Commonwealth.

That they had passed bills from this House, of the following titles, viz:

An act further to protect the interest of wool growers.

An act for the benefit of John Goodridge.

An act for the benefit of William S. Patterson.

An act to allow an additional Justice of the Peace and Constable to the county of Harlan, and additional Justices of the Peace to Owen and Trimble counties.

An act incorporating the Union Seminary, in Owen county.

An act to incorporate the Paintsville Library Society.

An act for the benefit of the common schools of Cumberland county.

An act for the benefit of the Lexington Rifles.

An act for the benefit of A. J. Devine, deputy Sheriff of Bourbon county.

An act to amend an act prescribing the further duties of the Board of Internal Improvement, approved 23d February, 1846.

An act to extend the limits of the town of Irvine.

An act for the benefit of John W. Hazlerigg.

An act to establish an election precinct at the house of John Eoff's, in the county of Pulaski, and for other purposes.

An act to change an election precinct in the county of Henry, from the house of James Ethington to the House of N. L. Oliver.

An act for the benefit of Robert H. Perry.

An act for the benefit of Jacob J. Goodman.

An act for the benefit of L. M. Eckert and William Scott, of Campbell county.

An act authorizing Justices of the Peace to try attachment causes and motions out of term time.

An act for the benefit of the administrator of H. K. Chism, deceased.

An act concerning the town of Glasgow.

An act to legalize the proceedings of the commissioners appointed to run and mark the county line between Bullitt and Jefferson.

An act to regulate the tolls on the Madison fork of the Wilderness road.

An act to change the place of voting in certain election precincts.

An act directing the agents of the State directed and empowered by the Second Auditor to sell the lands forfeited for the non-payment of tax.

An act to repeal in part, an act, entitled, an act further to provide for the the appointment of patrolls in this Commonwealth, approved February 18, 1841.

An act for the benefit of the Jessamine cavalry.

With amendments to the four last named bills.

That they had concurred in a resolution from this House, complimentary to Rev. R. T. Dillard.

And the report and resolutions of the committee on Federal Relations.

That they had passed bills of the following titles, viz:

An act to provide an office for the Adjutant and Quartermaster Generals.

An act concerning the writ of mandamus.

An act to produce uniformity of tolls on the turnpike roads in this Commonwealth.

An act to incorporate companies to construct Locks and Dams Nos. 6, 7, 8, 9 and 10, on the Kentucky river.

An act declaring the "Richmond Whig Chronicle" and the "Convention" public authorized newspapers of this State.

An act to amend an act authorizing the several Sheriffs in this Commonwealth to make certain conveyances, approved February 11, 1809.

An act for the benefit of the Sheriff of Scott county.

An act for the benefit of John Duncan and Gabriel Kirkpatrick.

An act to change the terms of the Henry and Oldham circuit courts.

An act to divorce Ann Elliott from her husband, John Elliott, and to confirm her marriage with John Right, and legitimate her children.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act declaring "The Plough Boy," a paper printed in the town of Richmond, a public authorized newspaper of this State.

An act allowing an additional Justice of the Peace to Breckinridge county.

An act to amend an act, entitled, an act to establish the Mechanics' Institute and Savings Institution of the city of Lexington, approved February 20, 1840.

An act concerning the town of Lafayette, in Christian county.

An act to establish a town on the lands of George Bowling, of Breathitt county.

An act for the benefit of the sheriff of Mercer county.

An act legalizing the official acts of Jackson Combs, surveyor of Perry county.

An act for the benefit of M. M. Wall, of Logan county.

An act to amend an act, entitled, an act for the benefit of Louisa M. Coleman, and Charles H. Kenner, and Marcus M. Kenner, approved January 29, 1846.

An act to change the time of holding the Clay circuit court.

An act for the benefit of the administrator and heirs of Henry Durrett, deceased.

An act for the benefit of Thomas Merimee and Prudence Shadburn.

An act for the benefit of Henry G. Mitchell, Leander A. Mitchell and John Mitchell.

An act for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company.

An act to authorize the Trustees of the town of Crab Orchard to erect a jail in said town.

An act declaring a forfeiture of the charter of the Licking River Navigation Company.

An act for the benefit of the clerk of the Hickman county court.

An act for the benefit of Hall Anderson.

An act authorizing the Trustees of McKendree Chapel to sell the same.

An act to incorporate the Louisville Rolling Mill Company.

An act to incorporate the town of Neetsville, in Adair county.

An act to incorporate the Cynthiana and Millersburg Turnpike Road Company.

An act for the benefit of Samuel D. McCullough and his securities.

An act to change the time of holding the spring courts in Pike and Floyd, and to change the time of holding the Lawrence and Morgan county courts, and for other purposes.

An act for the benefit of John Green, former sheriff of Henderson county, and for other purposes.

An act to amend the charter of the town of Harrodsburg.

An act to incorporate the Kentucky Female Orphan School.

An act for the benefit of Phoebe T. Wilkerson.

An act to amend the several acts in relation to the Lexington, Nicholasville, Danville and Lancaster Turnpike Road Company.

An act to change the name of the Mechanics' Savings Institution of Louisville.

An act to run and establish the line between the counties of Livingston and Caldwell.

An act for the benefit of Jane S. Stewart, William J. Walker and his wife, Susan B. Walker, and the infant heirs of Daniel Stewart, deceased.

An act to authorize the Trustees of the New Athens Seminary, in Greensburg, to convey the same to the Trustees of said town.

An act to incorporate the faculty of the Western Military Institute.

Approved February 23, 1847.

An act for the benefit of the heirs of John Frazier, deceased.

An act for the benefit of the heirs of Isaac Sprake, deceased.

An act for the benefit of the heirs of Thomas Anderson, deceased.

An act for the benefit of Alfred Payne.

An act for the benefit of the heirs of Daniel Barksdale, deceased.

An act to prevent the wanton destruction of fish.

An act to provide for a change of venue in the prosecution against Polly Fenton.

An act to amend the law in relation to the summoning guards.

An act to incorporate the town of Springfield, in Washington county.

An act for the benefit of Nancy Pointer.

An act for the benefit of Silas M. Berry and others.

An act for the benefit of William P. Mitchell.

An act for the benefit of George Dixon, of Nelson county.

An act to incorporate the Springfield Lodge, and the Washington Royal Arch Chapter.

An act to incorporate the Trustees of the Presbyterian Church, in Frankfort.

An act to provide for a change of venue in the prosecution against Richard S. Mason.

An act for the benefit of James Jackman.

An act regulating the sales of forfeited lands, and applying the statute of limitation in certain cases

An act for the benefit of Ann Daviess and her children.

An act for the benefit of the heirs of S. H. Anderson, deceased.

An act for the benefit of Isaac Gray, deputy sheriff of Caldwell county.

An act for the benefit of Hannah Caldwell, of Livingston county.

Approved February 25, 1847.

A bill from the Senate, entitled, an act to incorporate companies to construct Locks and Dams Nos. 6, 7, 8, 9 and 10, on the Kentucky river, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Williams moved to amend said bill by adding the following, viz:

Be it further enacted, That said President and Directors of said company, shall pay, annually into the Treasury of the State, the sum of fifty cents, upon each one hundred dollars of said stock subscribed and paid in.

The question was then taken on adopting same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haggard and Morton, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,
Armstrong,
Bell,
Bradford,
Cobb,

Elliott, J.
English,
Fletcher,
Haggard,
Hall,

Morton,
Owens,
Poor,
Rhea,
Vertress,

Coleman,
Desha,
Durbin.

Hord,
McArthur,

White,
Williams—22.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Abell,
Beeler,
Board,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Brown,
Bush,
Clarke,
Crawford,
Covington,
Devereux,
Dickerson,
Elliott, M.
Foley,
Gilbert,
Glenn,
Graves,
Hager,

Hanson,
Harrison,
Hay,
Hobbs,
Hoy,
Ireland,
Irvine, D.
Irvine, J.
Jones, J. R.
Mansfield,
Marshall,
Mayhall,
McHenry,
Meriwether,
Mitchell,
Munford,
Oglesby,
Page,
Pearl,
Phillips,
Procter,
Purdom,

Reed,
Riddle,
Rouse,
Salter,
Smith,
Soery,
Spalding,
Spurr,
Steele,
Stevenson,
Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Towles,
Wade,
Walker,
Waller,
Wheeler,
Wright,
Young—66.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Owens, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Abell,
Alexander,
Alnut,
Armstrong,
Beeler,
Board,
Botts, A. G.
Botts, W. S.
Bowman,
Bowmar,
Boyd,
Bradford,

Glenn,
Graves,
Hager,
Hanson,
Harrison,
Hay,
Hobbs,
Hord,
Hoy,
Ireland,
Irvine, D.
Irvine, J.
Jones, J. R.

Procter,
Purdom,
Reed,
Rhea,
Riddle,
Rouse,
Salter,
Smith,
Soery,
Spalding,
Spurr,
Steele,
Stevenson,

Bush,
Clarke,
Crawford,
Covington,
Desha,
Devereux,
Dickerson,
Durbin,
Elliott, J.
Elliott, M.
Evans,
Fletcher,
Foley,
Gilbert,

Mansfield,
Marshall,
Mayhall,
McArthur,
McCallister,
McHenry,
Meriwether,
Mitchell,
Munford,
Oglesby,
Page,
Phillips,
Poor,

Stewart,
Talbutt,
Tandy,
Thomas,
Thompson,
Towles,
Wade,
Walker,
Waller,
Wheeler,
Williams,
Wright,
Young—79.

Those who voted in the negative, were—

Messrs. Bell,
Coleman,
English,

Haggard,
Morton,
Owens,

Pearl,
Vertress,
White—9.

Resolved, That the title thereof be as aforesaid.

Mr. W. S. Botts, from the committee appointed to visit the Lunatic Asylum, reported a bill for the benefit of the Kentucky Lunatic Asylum, at Lexington, which was read the first time as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Thomas H. Hunt, S. P. Letcher, W. S. Chipley, and T. A. Marshall, in addition to the Board of Directory now in office, are appointed Directors of the said Kentucky Lunatic Asylum, who, before entering on the discharge of the duties of said office, shall respectively take an oath or affirmation, faithfully and impartially to discharge all duties required of them by law. Of the four Directors hereby appointed, the first named shall hold his office for the term of five years; the second for the term of four years; the third for the term of three years, and the fourth for the term of two years; and after the expiration of the term of office of any Director shall expire, a successor shall be elected by a joint ballot of both Houses of the General Assembly, who shall, after such election, hold their office for the term of five years. Should a vacancy occur by death, resignation, or otherwise, the Governor shall supply such vacancy as now provided by law, who shall hold his office until the next session of the General Assembly of Kentucky.

Sec. 2. Be it further enacted, That it shall be the duty of the Directors of said Asylum, to refuse admission to any non-resident patient into said institution, until the additional building now under erection is completed; and that at all times, it shall be the duty of said directory, to refuse the admission of non-resident patients, when their admission would preclude an application on behalf of citizens of this State, or would preclude such classification or other accommodation essential to the comfort and improvement of patients, citizens of the State.

Sec. 3. Be it further enacted, That the sum of ten thousand dollars, be and the same is hereby appropriated to the Lunatic Asylum, for the purpose of completing the building now under construction, and the same shall be paid to the Chairman of the Board of Directors, upon his executing bond

with security, to be approved by the Clerk of the Fayette county court, in the office of said Clerk, in the penalty of ten thousand dollars, conditioned for the faithful application of the same, to the purposes herein provided for.

Sec. 4. *Be it further enacted,* That it shall be the duty of the President of the Board of Directors, to lay before the next General Assembly, within ten days after the commencement of the session, a detailed, succinct statement of the amount of labor performed by the inmates of the Institution, upon and towards the construction of said building, as well as a statement of all sums expended heretofore upon, and hereafter towards the completion of said building, the purpose for which the same has been disbursed, to whom paid.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Waller moved to amend said bill by striking out the first section.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,	Foley,	Procter,
Alexander,	Glenn,	Purdum,
Armstrong,	Harrison,	Reed,
Board,	Hay,	Rhea,
Bowman,	Hobbs,	Smith,
Bowmar,	Hord,	Soery,
Boyd,	Hoy,	Spurr,
Bush,	Ireland,	Steele,
Clarke,	Irvine, J.	Talbutt,
Crawford,	McCallister,	Tandy,
Covington,	McHenry,	Thompson,
Desha,	Meriwether,	Towles,
Devereux,	Mitchell,	Vertress,
Dickerson,	Moore,	Waller,
Durbin,	Munford,	White,
Elliott, J.	Page,	Williams,
Elliott, M.	Poor,	Wright—52.
Evans,		

Those who voted in the negative, were—

Mr. Speaker,	Graves,	Oglesby,
Messrs. Alnut,	Haggard,	Owens,
Beeler,	Hager,	Pearl,
Bell,	Hall,	Phillips,
Botts, A. G.	Hanson,	Riddle,
Botts, W. S.	Irvine, D.	Rouse,
Bradford,	Jones, J. R.	Salter,
Brown,	Jones, W. L.	Spalding,
Cobb,	Mansfield,	Stevenson,
Coleman,	Marshall,	Thomas,

English,
Fletcher,
Gilbert,

Mayhall,
McArthur,
Morton,

Wade,
Walker,
Wheeler—39.

Ordered, That said bill be re-committed to the same committee, with instructions to strike out ten thousand dollars and report the amount blank at 3 o'clock, P. M.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act making an appropriation to the militia of Floyd county, called out by order of court, under General Hager, with amendments.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Independent Temperance Society of Pulaski county.

An act providing for the construction and protection of Morse's Magnetic Telegraph in Kentucky.

An act to incorporate the North Kentucky Mutual Insurance Company.

An act to amend an act, entitled, an act for the benefit of Joseph S. N. and James M. Dicken, approved February 17, 1846.

An act making copies of water leases, which have been recorded, evidence.

An act to regulate the Clerks and Trustees fees for services rendered under the Jury laws.

An act for the benefit of Richard Fisher and his securities.

An act for the benefit of Edwin Trimble, Clerk of the Floyd County and Circuit Courts.

An act to repeal the 2d section of an act, entitled, an act declaring certain deeds valid, approved March 2, 1844.

An act for the benefit of Harriet and Anderson R. Murray.

An act for the benefit of Elizabeth Jane Smith, and others.

An act to divorce Independent Gist and Elizabeth Porcher Gist.

And bills which originated in this House, of the following titles, viz:

An act to incorporate the Trustees of the Nelson County Library Company, and for other purposes.

An act to incorporate the Presbyterian Church of Paducah.

An act to establish the road law of Jefferson county.

An act to amend the law regulating the Wilderness road.

An act for the benefit of certain Common Schools in this Commonwealth.

An act for the benefit of A. G. Botts, assignee of James Ray.

An act to incorporate the Dover and Minerva Turnpike Road Company.

An act to incorporate the Globe Manufacturing Company.

An act regulating the mode of appointing a Salt Inspector for the city of Louisville, and for other purposes.

An act for the benefit of the Kentucky Institution for the education of the Blind.

An act to amend the charter of the city of Covington.

An act to regulate the terms of the Scott Circuit Court, and for other purposes.

An act for the benefit of Jacob J. Goodman.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Manford inform the Senate thereof.

The House then took up the bill for the benefit of Isaac Jones, of Whitley county.

Mr. Williams moved to dispense with the second and third readings of said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McHenry and Marshall, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gilbert,	Owens,
Messrs. Abell,	Glenn,	Page,
Alnut,	Haggard,	Pearl,
Armstrong,	Hager,	Poor,
Board,	Hanson,	Purdum,
Botts, W. S.	Hay,	Reed,
Bowman,	Hobbs,	Rhea,
Bowmar,	Hord,	Salter,
Boyd,	Hoy,	Smith,
Bush,	Ireland,	Soery,
Clarke,	Irvine, D.	Spalding,
Cobb,	Irvine, J.	Spurr,
Coleman,	Jones, J. R.	Stevenson,
Crawford,	Jones, W. L.	Talbutt,
Devereux,	Mansfield,	Tandy,
Dickerson,	Marshall,	Thomas,
Durbin,	McArthur,	Towles,
Elliott, J.	McCallister,	Wade,
Elliott, M.	Mitchell,	Waller,
English,	Moore,	White,
Evans,	Morton,	Williams,
Fletcher,	Munford,	Wright—68.
Foley,	Oglesby,	

Those who voted in the negative, were—

Messrs. Alexander,	Harrison,	Riddle,
Bradford,	McHenry,	Rouse,
Graves,	Phillips,	Walker—9.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Brown, from the committee appointed to visit the Lunatic Asylum, made the following additional report, which is as follows, viz:

It is thought the following language in the report of the committee appointed by the House of Representatives, to visit and examine the Lunatic Asylum, at Lexington: "The committee are induced to believe that the Board of Directors; in the prosecution of their respective pursuits, and in discharge of numerous engagements, in some instances, as high public functionaries, in a different department, have failed to bestow that attention and supervision, which the character of the Institution claims, and the relation in which they stand to it demands," conveys a direct censure of the conduct of the Directors. It is deemed due alike to the committee and the Board of Directors, that they should state, that the conclusion expressed or implied in the above quoted paragraph, was induced from the fact that they did not think they visited the Institution, in the character of a *Board of Directors*, as frequently as the relation they occupied, and the interests of the Asylum, seemed to demand.

The committee, unwilling that a construction should be placed on the language quoted, which would do injustice to the present Board of Directors, desire that this statement should go on the Journals of the House, as an additional report, explanatory of the clause alluded to.

THOS. D. BROWN, *Ch'n. Committee*.

Mr. Brown, from the committee on Claims, reported a bill for the appropriation of money, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to a committee of the whole House.

The House accordingly, resolved itself into a committee of the whole, on said bill, Mr. Williams in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Williams reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House without amendment.

Mr. Vertress moved to amend said bill by striking out one hundred dollars to J. R. Watson, a Clerk in the Second Auditor's office, in addition to his annual salary of four hundred dollars.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vertress and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alnut,	Evans,	Pearl,
Beeler,	Foley,	Poor,
Bell,	Glenn,	Purdum,
Board,	Graves,	Rhea,
Bowman,	Haggard,	Riddle,

Bowmar,
Boyd,
Clarke,
Coleman,
Crawford,
Durbin,
Elliott, J.
Elliott, M.
English,

Hager,
Ireland,
Johnston,
Jones, J. R.
Meriwether,
Moore,
Morton,
Oglesby,
Owens,

Rouse,
Smith,
Spalding,
Spurr,
Thomas,
Vertress,
Walker,
White,
Williams—42.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alexander,
Armstrong,
Bradford,
Brown,
Bush,
Crockett,
Covington,
Devereux,
Dickerson,
Hanson,

Hobbs,
Hord,
Hoy,
Irvine, J.
Mansfield,
Marshall,
McArthur,
McCallister,
McHenry,
Mitchell,
Page,

Phillips,
Reed,
Salter,
Soery,
Stevenson,
Talbutt,
Tandy,
Thompson,
Waller,
Wright—32.

Mr. Vertress moved to amend said bill by striking out four hundred dollars for the hire of a Clerk in the Treasurer's office.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vertress and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,
Alnut,
Beeler,
Board,
Bowman,
Bowmar,
Boyd,
Bush,
Clarke,
Cobb,
Coleman,
Durbin,
Elliott, M.

Fletcher,
Foley,
Glenn,
Graves,
Haggard,
Hager,
Hord,
Ireland,
Johnston,
Mansfield,
Moore,
Morton,
Oglesby,

Owens,
Pearl,
Purdom,
Riddle,
Rouse,
Smith,
Spalding,
Spurr,
Vertress,
Wade,
Walker,
Wheeler,
White—39.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alexander,
Armstrong,
Botts, A. G.
Bradford,
Brown,

Harrison,
Hay,
Hobbs,
Hoy,
Irvine, J.
Jones, W. L.

Poor,
Reed,
Rhea,
Salter,
Soery,
Stevenson,

Crawford,
Crockett,
Covington,
Devereux,
Dickerson,
Elliott, J.
English,
Evans,
Gilbert,
Hanson,

Marshall,
McArthur,
McCallister,
McHenry,
Meriwether,
Mitchell,
Munford,
Page,
Phillips,

Talbutt,
Tandy,
Thomas,
Thompson,
Towles,
Waller,
Williams,
Wright,
Young—46.

Mr. Brown moved to amend said bill by appropriating to the Lunatic Asylum, for the purpose of completing the buildings, seven thousand five hundred dollars.

Mr. Haggard moved to amend said amendment by striking out "seven thousand five hundred," and inserting "five thousand."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Alnut, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Abell,
Alnut,
Armstrong,
Beeler,
Bell,
Board,
Botts, A. G.
Bowman,
Bowmar,
Bradford,
Bush,
Clarke,
Cobb,
Coleman,
Crawford,
Crockett,
Durbin,
Elliott, J.

Elliott, M.
English,
Foley,
Haggard,
Hager,
Harrison,
Hord,
Hoy,
Irvine, D.
Johnston,
Mansfield,
Mayhall,
McArthur,
Moore,
Morton,
Munford,
Oglesby,
Owens,

Pearl,
Phillips,
Purdom,
Riddle,
Rouse,
Smith,
Soery,
Spalding,
Stewart,
Tandy,
Thomas,
Towles,
Walker,
Wheeler,
White,
Williams,
Wright—53.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alexander,
Boyd,
Brown,
Covington,
Devereux,
Dickerson,
Evans,
Fletcher,

Hanson,
Hay,
Hobbs,
Ireland,
Irvine, J.
Jones, W. L.
Marshall,
McCallister,
McHenry,

Poor,
Reed,
Rhea,
Salter,
Spurr,
Talbutt,
Thompson,
Vertress,
Wade,

Gilbert,
Glenn,
Graves,

Meriwether,
Mitchell,
Page,

Waller,
Young—35.

The amendment, as amended, was then adopted.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act for the benefit of George W. Ewing and Alexander McGregor.

An act for the benefit of the town of Dover, in Mason county.

A bill from the Senate, entitled, an act authorizing the issue of State bonds for certain purposes, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Glenn moved to amend said bill by striking out the first section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Crockett and Glenn, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Armstrong,
Board,
Bowman,
Bowmar,
Brown,
Clarke,
Cobb,
Coleman,
Crawford,
Crockett,

Durbin,
Elliott, M.
Gilbert,
Glenn,
Haggard,
Hager,
Hanson,
Ireland,
Johnston,
Mansfield,
Mayhall.

McArthur,
Morton,
Poor,
Rhea,
Riddle,
Soery,
Spalding,
Tandy,
Wheeler,
Wright—32.

Those who voted in the negative, were—

Messrs. Abell,
Alnut,
Beeler,
Botts, A. G.
Bradford,
Bush,
Covington,
Devereux,
Dickerson,
Graves,

Irvine, D.
Irvine, J.
Jones, J. R.
Jones, W. L.
Marshall,
McCallister,
McHenry,
Meriwether,
Mitchell,
Oglesby,

Salter,
Stevenson,
Talbutt,
Thomas,
Thompson,
Towles,
Vertress,
Wade,
Walker,
Waller,

Hay,
Hobbs,
Hord.
Hoy,

Owens,
Phillips,
Purdom,
Rouse,

White,
Williams,
Young—41.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Ordered, That leave of absence, for the remainder of the session, be granted to Messrs. Desha, McCallister, Beeler, Bowmar, McHenry, Brown and Crockett.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act for the benefit of James Coyle.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of Robert Williams.

An act for the benefit of the heirs and devisees of Reuben Miles, deceased, and Ann Maria Myers.

An act for the benefit of Mary S. Brewer and Mildred M. Buckner.

An act to authorize Notaries Public to take depositions and administer oaths.

An act to amend the charter of the city of Louisville.

An act for the benefit of John V. Cowling and Jesse A. Moorman.

An act for the benefit of the heirs of Thomas Downton.

An act for the benefit of Albert G. Tabscott, Oliver C. Day and Catharine Willis.

An act to change the time of holding the Montgomery county court.

An act to incorporate the Hopkinsville Water Works Company.

An act for the benefit of the heirs of Christer B. Martinie, deceased.

An act for the benefit of the devisees of John Bradshaw, deceased.

An act to establish a chancery term of the Bourbon circuit court.

An act for the benefit of John Morgan, sheriff of Perry county.

An act for the benefit of the children of Samuel Y. Garrison.

An act to amend an act incorporating certain turnpike road companies, approved January 29, 1829.

An act for the appropriation of money.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act for the benefit of Sylvester Thomas.

An act for the benefit of Mary B. Alfriend.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of William S. Patterson.

An act for the benefit of Thomas D. Honaker and David Robinson, of Pike county, and for other purposes.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

Bills from the Senate, of the following titles, viz:

1. An act for the Benefit of George W. Ewing and Alexander McGregor.
2. An act to incorporate the Warsaw and Williamstown Turnpike Road Company.
3. An act to incorporate the Dry Run and Covington Turnpike Road Company.
4. An act to incorporate the Boone Turnpike Road Company.
5. An act authorizing the Frankfort Cemetery Company to convey a portion of its grounds to the State of Kentucky.
6. An act to amend an act to reduce into one the several acts concerning strays, approved February 10, 1798.
7. An act to amend the duelling laws.
8. An act to authorize the Superintendent of Public Instruction to make certain reports to the Second Auditor.
9. An act for the benefit of A. G. Kyle, of Mercer county.
10. An act for the benefit of James B. Meredith, of Woodford county.
11. An act for the benefit of William H. Taylor, of Mercer county.
12. An act for the benefit of the widow and heirs of William Perry, deceased.
13. An act for the benefit of the towns of Burlington and Hamilton.
14. An act to incorporate the Lexington Gas Company.
15. An act for the benefit of certain Justices of the Peace.
16. An act for the benefit of Matilda Ann Simmons, widow and devisee of Wm. W. Simmons, deceased, and the children and devisees of said Simmons.
17. An act for the benefit of the heirs at law of Nelly White, deceased.
18. An act to explain the law relating to bills of exceptions.
19. An act for the benefit of Jonathan Hathaway and Berryman S. Hoffman.
20. An act to add an additional term to the Bracken Circuit Court.
21. An act concerning the writ of mandamus.
22. An act to provide uniformity of tolls on the turnpike roads in this Commonwealth.
23. An act declaring the "Richmond Whig Chronicle" and "The Convention" public authorized newspapers of this State.
24. An act to amend an act authorizing the several Sheriffs of this Commonwealth to make certain conveyances, approved February 11, 1809.

25. An act for the benefit of the Sheriff of Scott county.
26. An act for the benefit of John Duncan and Gabriel Kirkpatrick.
27. An act to provide an office for the Adjutant and Quarter Master General.
28. An act to change the terms of the Henry and Oldham circuit courts.
29. An act to divorce Ann Elliott from her husband, John Elliott, and to confirm her marriage with John Right, and legitimate her children.
30. An act for the benefit of the town of Dover, in Mason county.
31. An act for the benefit of Sylvester Thomas.
32. An act for the benefit of Mary B. Alfriend.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of the 1st, 2d, 3d, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 16th, 17th, 18th, 19th, 20th, 22d, 23d, 24th, 25th, 26th, 29th, 30th, 31st and 32d bills having been dispensed with, they were severally ordered to be read a third time.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 16th, 17th, 18th, 19th, 20th, 22d, 23d, 24th, 25th, 26th, 29th, 30th, 31st and 32d bills having been dispensed with.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act to promote the growth and manufacture of silk, was read the first time.

On motion of Mr. Williams,

Ordered, That said bill be laid on the table.

A bill from the Senate, entitled, an act to divorce Tamsey Chadwell, was read the first time.

The question was then taken on the passage of said bill, and it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Vertress, and Graves, were as follows, viz.:

Those who voted in the affirmative, were—

Messrs. Board,	Haggard,	Spalding,
Brown,	Hager,	Talbutt,
Cobb,	Johnston,	Tandy,
Coleman,	Mansfield,	Thompson,
Crawford,	McArthur,	Towles,
Devereux,	McCallister,	Wade,
Dickerson,	Morton,	Walker,
Elliott, J.	Oglesby,	Wright—26.
English,	Owens,	

Those who voted in the negative, were—

Mr. Speaker,	Graves,	Pearl,
Messrs. Abell,	Hanson,	Phillips,
Alnut,	Harrison,	Poor,
Armstrong,	Hay,	Purdom,
Beeler,	Hobbs,	Reed,
Botts, A. G.	Hord,	Rhea,
Bowman,	Ireland,	Riddle,
Bowmar,	Irvine, D.	Rouse,
Boyd,	Irvine, J.	Salter,
Bradford,	Jones, J. R.	Smith,
Bush,	Jones, W. L.	Spurr,
Clarke,	Marshall,	Stewart,
Covington,	McHenry,	Thomas,
Durbin,	Meriwether,	Vertress,
Elliott, M.	Mitchell,	Waller,
Evans,	Moore,	Wheeler,
Foley,	Munford,	Williams,
Gilbert,	Page,	Young—54.

A preamble and resolution from the Senate in relation to the unfinished turnpike roads in this State, was twice read and concurred in.

A resolution from the Senate in relation to the tolls on the Green, Barren and Kentucky River Navigation, was then taken up.

Ordered, That said resolution be laid on the table.

Mr. McHenry, from the committee on the Judiciary, reported a bill to repeal an act to extend the limits of the town of Hopkinsville, which was read the first time.

And the question being taken on reading said bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. McHenry, from the same committee, to whom was referred a bill from the Senate, entitled, an act to extend the terms of the Fayette circuit court, and for other purposes, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Education—1. A bill authorizing a settlement with the Trustees of the Stanford Seminary.

By the committee on Internal Improvement.—A bill concerning the Lexington and Ohio Railroad.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as afore-said.

A message was received from the Senate, announcing their concurrence in the report of the committee of conference on the disagreement between the two Houses, on a bill from the Senate, entitled, an act to change the place of voting from Seaton Lee's, in Pulaski county, and for other purposes.

That they had concurred in the amendments of this House to bills from the Senate of the following titles, viz:

An act to add an additional term to the Mason, Adair and Fleming circuit courts.

An act to establish the town of Monterey, in Owen county.

An act authorizing Robert Triplett and Alexander B. Barrett to bring certain slaves into this Commonwealth.

An act to amend and reduce into one the several acts relating to the town of Georgetown.

That they had passed a bill from this House, entitled, an act for the benefit of Isom Jones, of Whitley county.

Mr. Salter moved the following resolution, viz:

Resolved, That the Public Printer furnish to each member one hundred copies of a synopsis of the acts passed during the present session of the General Assembly.

Which was adopted.

The amendments proposed by the Senate to bills from this House of the following titles, viz:

An act to change the place of voting in certain election precincts.

An act for the benefit of the Jessamine cavalry.

An act to repeal in part, an act, entitled, an act further to provide for the appointment of patrols in this Commonwealth, approved February 18, 1841.

An act directing the agents of the State directed and empowered by the Second Auditor to sell the lands forfeited for the non-payment of tax.

An act making an appropriation to the militia of Floyd county, called out by order of court, under General Hager.

Were taken up, twice read and concurred in.

The House then took up the amendments proposed by the Senate, to a bill from this House, entitled, an act for the appropriation of money.

The first amendment of the Senate to said bill was to strike out "five thousand dollars" to the Lunatic Asylum to complete the buildings, and insert "ten thousand dollars."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hay,	Purdom,
Messrs. Alexander,	Hobbs,	Reed,
Botts, A. G.	Hord,	Rhea,
Boyd,	Irvine, D.	Smith,
Brown,	Jones, W. L.	Spurr,
Crawford,	Mayhall,	Stevenson,
Covington,	McCallister,	Talbutt,
Devereux,	McHenry,	Tandy,
Dickerson,	Meriwether,	Thompson,
Gilbert,	Mitchell,	Vertress,
Glenn,	Munford,	Wade,
Graves,	Page,	Waller,
Hanson,	Phillips,	Williams,
Harrison,	Poor,	Young—42.

Those who voted in the negative, were—

Messrs. Abell,	Elliott, M.	Morton,
Alnut,	English,	Owens,
Armstrong,	Evans,	Pearl,
Beeler,	Foley,	Riddle,
Bell,	Haggard,	Rouse,
Board,	Hager,	Salter,
Bowman,	Hoy,	Soery,
Bradford,	Ireland,	Spalding,
Bush,	Irvine, J.	Thomas,
Clarke,	Johnston,	Towles,
Cobb,	Jones, J. R.	Walker,
Coleman,	Mansfield,	White,
Crockett,	Marshall,	Wright—40.
Durbin,		

The second amendment to said bill was then concurred in.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act authorizing a settlement with the Trustees of the Stanford Seminary.

Mr. Stevenson, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act for the benefit of William Rowlett, of Owen county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with.

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The House then took up the bill to amend an act, entitled, an act to incorporate the town of Greensburg, in Greenup county.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Abell asked leave to withdraw the petition of sundry citizens of Green county, praying for a division of said county, and the remonstrance against the same, which was granted, and the same were withdrawn.

And then the House adjourned.

MONDAY, MARCH 1, 1847.

A bill from the Senate, entitled, an act to provide an office for the Adjutant General and Quarter Master General, was read a second time and ordered to be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Munford, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend an act, entitled, an act to incorporate the Danville and Houstonville Turnpike Road Company, and for other purposes.

An act in relation to the Penitentiary.

An act to incorporate the town of Elizabethtown, in Hardin county.

An act for the benefit of Charles Cains, and for other purposes.

An act to incorporate the Synephebian Society of Masonic College, Larrange, Kentucky.

An act to amend the charter of the town of Newport.

An act for the benefit of the town of Madisonville, in Hopkins county.

An act for the benefit of L. M. Eckert and William Scott, of Campbell county.

An act to amend the law on the subject of runaway slaves.

An act to extend the limits of the town of Irvine.

An act authorizing the county court of Morgan to sell public grounds.

An act to regulate the tolls on the Madison fork of the Wilderness road.

An act to incorporate the Hopkinsville Water Works Company.

An act to amend the charter of the city of Louisville.

An act for the benefit of the heirs and devisees of Reuben Miles, deceased, and Ann Maria Myers.

An act to allow an additional Justice of the Peace and Constable to the county of Harlan, and additional Justices of the Peace to Owen and Trimble counties.

An act further to protect the interest of wool growers.

An act to incorporate the Paintsville Library Company.

An act to incorporate the town of East Maysville.

An act for the benefit of Anna Maria Crockett, and her children.

An act for the benefit of A. J. Devine, deputy Sheriff of Bourbon county.

An act for the benefit of Jeff. Evans, of the county of Greenup.

An act to establish the town of Lairsville, in Russell county.

An act for the benefit of Oscar Pepper.

An act to amend the several acts incorporating the city of Maysville.

An act for the benefit of John V. Cowling and Jesse A. Moorman.

An act for the benefit of Robert Williams.

An act to amend an act incorporating certain turnpike road companies, approved January 29, 1829.

An act incorporating the Union Seminary, in Owen county.

An act to extend the jurisdiction of the Police Judge of Morganfield.

An act for the benefit of James Buford and wife.

An act to incorporate the town of Booneville, in Owsley county.

An act for the relief of James Renfro, of Knox county.

An act for the benefit of the heirs of Thomas Downton.

An act for the benefit of the Children of Samuel Y. Garrison.

An act for the benefit of the devisees of John Bradshaw, deceased.

An act appointing Commissioners of the Goose creek salt works road.

An act for the benefit of the Jessamine Cavalry and Keene Artillery.

An act to authorize Notaries Public to take depositions and administer oaths.

An act for the benefit of Albert G. Tabscott, Alvin C. Day and Catharine Willis.

An act for the benefit of John Morgan, sheriff of Perry county.

An act to establish a chancery term of the Bourbon circuit court.

An act to change the time of holding the Montgomery county court.

An act for the benefit of William Calmes.

An act for the benefit of John D. Gilmore.

An act for the benefit of Amariah Moore.

An act for the benefit of the Jailer of Nelson county.

An act directing the agents of the State, directed and empowered by the Second Auditor, to sell the lands forfeited for the non-payment of taxes.

An act to change the place of voting in certain election precincts.

An act to incorporate the Licking and Lexington Railroad Company and the Louisville and Frankfort Railroad Company.

An act for the benefit of Thomas Florence, of Hardin county.

An act for the benefit of Robert H. Perry.

An act for the benefit of Jacob Corbett.

An act to allow an additional term to the Cumberland circuit court.

An act authorizing a settlement with the Trustees of the Stanford Seminary.

An act for the appropriation of money.

An act for the benefit of the Lexington Rifles.

An act allowing an additional Justice of the Peace to Bath county.

An act for the benefit of the common schools of Cumberland county.

An act to amend an act prescribing the further duties of the Board of Internal Improvement, approved 23d February, 1846.

An act to repeal in part, an act, entitled, an act further to provide for the appointment of patrols in this Commonwealth, approved Feb. 18, 1841.

An act for the benefit of John R. Desha and Samuel W. Hatcher.

An act to amend the law in reference to the town of Hopkinsville.

An act for the benefit of Emily McDowell.

An act for the benefit of Chester B. Martinie, deceased.

An act for the benefit of A. M., Clifford N., Henry B. and Sydney T. Fontaine.

An act for the benefit of Mary S. Brewer and Mildred M. Buckner.

An act for the benefit of Ison Jones of Whitley county.

An act to establish an election precinct at the house of John Eoff's, in the county of Pulaski, and for other purposes.

An act to change an election precinct in the county of Henry, from the house of James Ethington to the House of N. L. Oliver.

An act making an appropriation to the militia of Floyd county, called out by order of court, under General Hager.

An act for the benefit of James O'Hara, deputy Sheriff of Grant county.

An act authorizing Justices of the Peace to try attachment causes and motions out of term time.

An act concerning the town of Glasgow.

An act for the benefit of the administrator of H. K. Chism, deceased.

An act to change the time of holding the terms of the Court of Appeals.

An act for the benefit of John W. Hazlerigg.

An act to amend the charter of the Nashville and Louisville Turnpike Road Company.

An act for the establishment of fish traps.

An act to extend the constable's district which includes the town of Frankfort.

An act to extend the mechanics' lien law of the city of Louisville, to the counties of Bourbon, Christian, Madison, Livingston, Shelby, Scott and Carroll counties.

An act to regulate the price of vacant lands in Clay county.

An act to allow the burning of the woods in a portion of Clay county.

An act to legalize the proceedings of the commissioners appointed to run and mark the county line between Bullitt and Jefferson.

An act to authorize the Trustees of the Stone Meeting House, of the Methodist Church, in Jefferson county, to sell said house and lot.

An act to settle and adjust the claim of John Bussing.

Resolutions complimentary to Rev. R. T. Dillard.

Resolutions in relation to the Owingsville and Big Sandy Turnpike Road Company.

Report and resolutions from the committee on Federal Relations.

And bills, and a preamble and resolution, which originated in the Senate of the following titles, viz:

An act to amend and reduce into one the several acts relating to the town of Georgetown.

An act for the benefit of Jonathan Hathaway and Berryman S. Hoffman.

An act for the benefit of Matilda Ann Simmons, widow and devisee of Wm. W. Simmons, deceased, and the children and devisees of said Simmons.

An act for the benefit of the widow and heirs of William Perry, deceased.

An act to amend an act to reduce into one the several acts concerning strays, approved February 10th, 1798.

An act for the benefit of John Duncan and Gabriel Kirkpatrick.

An act for the benefit of the Sheriff of Scott county.

An act to establish the town of Monterey, in Owen county.

An act to incorporate the Kentucky State Colonization Society.

An act for the benefit of John and Harrison Dobbs.

An act for the benefit of James Fike, of Graves county.

An act for the benefit of Mary B. Alfriend.

An act for the benefit of Sylvester Thomas.

An act to amend an act authorizing the several Sheriffs in this Commonwealth to make certain conveyances, approved February 11, 1809.

An act to extend the terms of the Fayette Circuit Court, and for other purposes.

An act authorizing the issue of State bonds for certain purposes.

An act declaring the "Richmond Whig Chronicle" and the "Convention" public authorized newspapers of this State.

An act for the benefit of Napoleon B. Burks and Eliza Jane Burks his wife.

An act authorizing Robert Triplett and Alexander B. Barrett to bring certain slaves into this Commonwealth.

An act for the benefit of Burress A. Looman and W. G. Andrews Looman, of Fleming county.

An act to add an additional term to the Adair Circuit Court.

An act to change the place of voting from Seaton Lee's, in Pulaski county, and for other purposes.

An act for the benefit of George W. Ewing and Alexander McGregor.

An act to explain the law relating to bills of exceptions.

An act for the benefit of A. G. Kyle, of Mercer county.

An act to add an additional term to the Bracken Circuit Court.

An act for the benefit of James B. Meredith, of Woodford county.

An act authorizing the Frankfort Cemetery Company to convey a portion of its grounds to the State of Kentucky.

An act to divorce Ann Elliott from her husband, John Elliott, and to confirm her marriage with John Right, and legitimate her children.

An act for the benefit of the town of Dover, in Mason county.

An act to authorize the Superintendent of Public Instruction to make a certain report to the Second Auditor.

An act for the benefit of William H. Taylor, of Mercer county.

An act to incorporate the Dry Run and Covington Turnpike Road Company.

An act for the benefit of William Rowlett, of Owen county.

An act to provide an office for the Adjutant and Quarter master Generals.

An act to incorporate companies to construct Locks and Dams Nos. 6, 7, 8, 9 and 10, on the Kentucky river.

An act for the benefit of the heirs at law of Nelly White, deceased.

An act to incorporate the Lexington Gas Company.

An act to incorporate the Warsaw and Williamstown Turnpike Road Company.

An act for the benefit of the towns of Burlington and Hamilton.

An act to incorporate the Boone Turnpike Road Company.

An act to produce uniformity of tolls on the turnpike roads in this Commonwealth.

Preamble and resolutions in relation to the unfinished turnpike roads in this Commonwealth.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Munford inform the Senate thereof.

The Speaker having retired from the Chair,

Mr. Williams moved the following resolution, viz :

Resolved, That the thanks of this House be and they are hereby tendered to Leslie Combs, Esq., Speaker of the House, for the able, dignified and impartial manner in which he has discharged the duties of his office during the present session.

Which was unanimously adopted.

The Clerk having retired from the table,

Mr. Vertress moved the following resolution, viz:

Resolved, That the thanks of this House are due, and the same are hereby tendered to Thomas J. Helm, our Clerk, for his accommodating, faithful and prompt manner in discharging the arduous duties of his office the present session.

Which was unanimously adopted.

Mr. Waller moved the following resolution, viz:

Resolved, That the thanks of the House are respectfully tendered to the Assistant Clerk, Sergeant-at-arms and Doorkeeper, for the prompt discharge of their respective duties.

Which was unanimously adopted.

Mr. Waller moved the following resolution, viz:

Resolved, That our thanks are affectionately tendered to the Ministers of the Gospel who have opened the deliberations of this House each morning of the session with prayer.

Which was unanimously adopted.

Mr. Rhea moved the following resolution, viz:

Resolved, That the thanks of of this House are due to Rufus J. Baldwin, the Reporter of the Frankfort Commonwealth, for his correct and impartial reports of the proceedings of this body.

Which was unanimously adopted.

Mr. Hager asked leave to withdraw the petitions, &c., of sundry citizens of Morgan county, praying to be added to the county of Johnson, and the petition, &c., of sundry citizens of Floyd county, praying to be added to the county of Pike, which were granted, and the same were withdrawn.

A message was received from the Governor, by Mr. Kinkead, Secretary of State, announcing that he had approved and signed enrolled bills and resolutions which originated in this House of the following titles, viz:

An act allowing the Trustees of Burksville to change an alley in said town.

An act further increasing the liabilities of Sheriffs and Coroners and their securities.

An act for the benefit of Augustine B. Offutt.

An act to incorporate the Carlisle and Sharpsburg Turnpike Company.

An act for the benefit of John M. Morton.

An act to allow an additional Justice of the Peace to the county of Spencer.

An act authorizing the County Court of McCracken to sell the Seminary lands belonging to said county.

An act for the benefit of the Maysville Guards.

An act to authorize the County Court of Campbell to change a State road.

An act to amend the road law in the county of Bracken.

An act to reduce the price of public lands in Adair county.

An act to change the place of voting in the Fox precinct, in the county of Fleming, and the Chestnut Grove precinct, in Shelby county.

An act for the benefit of the citizens residing on the middle fork of the Kentucky river, in Clay county.

An act legalizing the organization and first election of officers by the Bank Lick Turnpike Road Company.

An act giving further time to the administrator of John Trimble to list certain fee bills for collection.

An act allowing flat boats and other water crafts, laden with the products of Carroll county, to pass over dam at Lock No. 1, on the Kentucky river, free of toll, in time of high water.

An act authorizing Greenberry Reynolds to erect a mill dam on Salt river.

An act for the benefit of the Clerk of the Cumberland County Court.

An act to amend an act providing for a State road from Adairsville, in Logan county, to Bowlinggreen, in Warren county.

An act to allow an additional Justice of the Peace to Mercer county.

An act to extend the provisions of the mechanics' lien law, of Louisville, to the counties of Mercer, Marion, Trimble and Jessamine.

An act to change the names of Eliza Jane Donaldson, and others.

An act to incorporate the Germantown Circulating Library Company.

An act to allow an additional Justice of the Peace to Carter county.

An act to suppress coffee houses in the town of Washington.

Approved February 26, 1847.

An act for the benefit of certain Common Schools in this Commonwealth.

An act for the benefit of A. G. Botts, assignee of James Ray.

An act to amend the charter of the city of Covington.

An act for the benefit of the Kentucky Institution for the education of the Blind.

An act for the benefit of Jacob J. Goodman.

An act to regulate the terms of the Scott Circuit Court, and for other purposes.

An act regulating the mode of appointing a Salt Inspector for the city of Louisville, and for other purposes.

An act to incorporate the Globe Manufacturing Company.

An act to amend the law regulating the Wilderness road.

An act to incorporate the Dover and Minerva Turnpike Road Company.

An act to establish the road law of Jefferson county.

An act to incorporate the Trustees of the Nelson County Library Company, and for other purposes.

An act to incorporate the Presbyterian Church of Paducah.

An act for the benefit of Thomas D. Honaker and David Robinson.

An act for the benefit of William S. Patterson.

An act for the benefit of John V. Cowling and Jesse A. Moorman.

An act to incorporate the town of Booneville, in Owsley county.

An act to incorporate the town of Elizabethtown, in Hardin county.

An act to amend an act, entitled, an act to incorporate the Danville and Hustonville Turnpike Road Company, and for other purposes.

An act for the benefit of Charles Caines, and for other purposes.

An act in relation to the Penitentiary.

An act to incorporate the Union Seminary, in Owen county.

An act for the benefit of John Goodridge.

An act for the benefit of Robert Williams.

An act for the benefit of James Buford and wife.

An act to extend the jurisdiction of the Police Judge of the town of Morganfield.

An act to amend the several acts incorporating the city of Mayasville.

An act to establish the town of Lairsville, in Russell county.

An act for the benefit of Oscar Pepper.

An act for the benefit of A. J. Devine, deputy sheriff of Bourbon county.

An act for the benefit of Jeff. Evans, of the county of Greenup.

An act for the benefit of Anna Maria Crockett and her children.

An act to incorporate the town of East Mayasville.

An act to incorporate the Paintsville Library Society.

An act to allow an additional Justice of the Peace and Constable to the county of Harlan and additional Justices of the Peace to Owen and Trimble counties.

An act to further protect the interest of wool growers.

An act for the benefit of the heirs and devisees of Reuben Miles and Ann Maria Myers.

An act to amend the charter of the city of Louisville.

An act to incorporate the Hopkinsville Water Works Company.

An act to regulate the tolls on the Madison fork of the Wilderness Road.

An act authorizing the County Court of Morgan to sell the public grounds.

An act to extend the limits of the town of Irvine.

An act to amend the law on the subject of apprehending runaway slaves.

An act for the benefit of L. M. Eckert and William Scott, of Campbell county.

An act to amend the charter of the town of Newport.

An act for the benefit of the town of Madisonville, in Hopkins county.

An act to incorporate the Synephebian Society of Masonic College, Lagrange, Kentucky.

An act for the benefit of the Jailor of Nelson county.

An act directing the agents of the State, directed and empowered by the Second Auditor, to sell the lands forfeited for the non-payment of tax.

An act to change the places of voting in certain election precincts.

An act for the benefit of John D. Gillmore.

An act for the benefit of Amariah Moore.

An act to change the time of holding the Montgomery County Court.

An act for the benefit of William Calmes.

An act for the benefit of John Morgan, Sheriff of Perry county.

An act to establish a Chancery Term of the Bourbon Circuit Court.

An act for the benefit of Albert G. Tabscott, Alvin C. Day, and Catharine Willis.

An act to authorize Notaries Public to take depositions and administer oaths.

An act for the benefit of the Jessamine Cavalry and Keene Artillery.

An act appointing Commissioners of the Goose Creek Salt Works road.

An act for the benefit of the devisees of John Bradshaw, deceased.

An act for the benefit of the children of Samuel Y. Garrison.

An act for the benefit of the heirs of Thomas Downton, deceased.

An act for the relief of James Renfro, of Knox county.

An act to incorporate the Licking and Lexington Railroad Company, and the Louisville and Frankfort Railroad Company.

Resolutions in relation to the Owingville and Big Sandy Turnpike Road Company.

Report and resolutions of the committee on Federal Relations.

Resolutions complimentary to Rev. R. T. Dillard.

An act for the appropriation of money.

An act for the benefit of A. M., Clifford N., Henry B., and Sydney T. Fontaine.

An act for the benefit of the Common Schools of Cumberland county.

An act to amend an act prescribing the further duties of the Board of Internal Improvement, approved 23d February, 1846.

An act for the benefit of Thomas Florence, of Hardin county.

An act for the benefit of Robert H. Perry.

An act for the benefit of Jacob Corbett.

An act to allow an additional term of the Cumberland Circuit Court.

An act to amend the charter of the Nashville and Louisville Turnpike Road Company.

An act for the establishment of fish traps.

An act to extend the Constable's district which includes the town of Frankfort.

An act to extend the mechanics' lien law of the city of Louisville, to the counties of Bourbon, Christian, Livingston, Shelby, Scott, Carroll, Franklin, Gallatin and Clarke.

An act to allow the burning of the woods in a portion of Clay county.

An act to regulate the price of vacant lands in Clay county.

An act to settle and adjust the claim of John Bussing.

An act authorizing Justices of the Peace to try attachment causes and motions out of term time.

An act for the benefit of John R. Desha and Samuel W. Hatcher.

An act to amend the law in reference to the town of Hopkinsville, and for other purposes.

An act for the benefit of Emily McDowell.

An act for the benefit of the heirs of Christopher B. Martinie, deceased.

An act to repeal in part, an act, entitled, an act further to provide for the appointment of patrols in this Commonwealth, approved February 18, 1841.

An act for the benefit of the administrators of H. K. Ohism, deceased.

An act to legalize the proceedings of the Commissioners appointed to run and mark the county line between Bullitt and Jefferson.

An act to authorize the Trustees of the Stone Meeting House of the Methodist Church, in Jefferson county, to sell the said house and lot.

An act to change the time of holding the terms of the Court of Appeals.

An act for the benefit of John W. Hazlerigg.

An act authorizing a settlement with the Trustees of the Stanford Seminary.

An act making an appropriation to the militia of Floyd county, called out by order of Court, under General Hager.

An act to establish an election precinct at the house of John Eoff's, in the county of Pulaski, and for other purposes.

An act to change an election precinct in the county of Henry, from the house of James Ethington to the house of N. L. Oliver.

An act for the benefit of the Lexington Rifles.

An act allowing an additional Justice of the Peace to Bath county.

An act for the benefit of Mary S. Brewer and Mildred M. Buckner.

An act for the benefit of Isham Jones, of Whitley county.

An act concerning the town of Glasgow.

An act for the benefit of James O'Hara, deputy Sheriff of Grant county.

Approved March 1, 1847.

A message was received from the Senate, announcing that they had received official information from the Governor, that he had approved and signed enrolled bills and a preamble and resolution which originated in the Senate, of the following bills, viz:

An act for the benefit of James P. Tyler, of Fulton county.

An act for the benefit of James C. Brewer, Commissioner of Tax for Perry county.

An act relating to the Penitentiary, and requiring a new bond from the Keeper.

An act to regulate the number of Justices of the Peace in the town of Greensburg.

An act for the benefit of Martha Elizabeth Cleaveland.

An act giving additional powers to the Trustees of the town of Princeton, in Caldwell county, and for other purposes.

An act to incorporate the Firemans' Insurance Company, of Lexington.

An act to incorporate the town of Harrisonville, in Shelby county.

An act to amend the charter of the city of Lexington.

An act for the benefit of John D. Blackford.

An act for the benefit of James Stinson, of Pulaski county.

An act to amend the law in relation to binding out poor children in this Commonwealth.

An act for the benefit of the Trustees of the town of Shepherdsville in Bullitt county.

Approved February 26, 1847.

An act providing for the construction and protection of Morse's Magnetic Telegraph in Kentucky.

An act to incorporate the Independent Temperance Society, of Pulaski county.

An act for the benefit of Elizabeth Jane Smith.

An act to amend an act, entitled, an act for the benefit of Joseph S. N. and James M. Dicken, approved February 17, 1846.

An act making copies of water leases, which have been recorded, evidence.

An act to incorporate the North Kentucky Mutual Insurance Company.

An act to regulate the Clerks and Trustees fees for services rendered.

An act for the benefit of Richard Fisher and his securities.

An act for the benefit of Edwin Trimble, Clerk of the Floyd County and Circuit Courts.

An act to repeal the 2d section of an act, entitled, an act declaring certain deeds valid, approved March 2, 1844.

An act to divorce Independence Gist and Elizabeth Porcher Gist.

An act for the benefit of Harriet and Anderson R. Murray.

An act to amend and reduce into one the several acts relating to the town of Georgetown.

An act to amend an act to reduce into one the several acts concerning strays, approved February 10th, 1793.

An act for the benefit of the widow and heirs of William Perry, deceased.

An act for the benefit of the Sheriff of Scott county.

An act for the benefit of John Duncan and Gabriel Kirkpatrick.

An act to establish the town of Monterey, in Owen county.

An act to incorporate the Kentucky State Colonization Society.

An act for the benefit of James Fike, of Graves county.

An act for the benefit of John and Harrison Dobbs.

An act for the benefit of Sylvester Thomas.

An act for the benefit of Mary B. Alfriend.

An act to extend the terms of the Fayette Circuit Court, and for other purposes.

An act to amend an act authorizing the several Sheriffs in this Commonwealth to make certain conveyances, approved February 11, 1809.

An act for the benefit of Napoleon B. Burks and Eliza Jane Burks his wife.

An act declaring the "Richmond Whig Chronicle" and the "Convention" public authorized newspapers of this State.

An act authorizing the issue of State bonds for certain purposes.

An act for the benefit of Burriss A. Looman and W. G. Andrews Looman, of Fleming county.

An act authorizing Robert Triplett and Alexander B. Barrett to bring certain slaves into this Commonwealth.

An act for the benefit of Jonathan Hathaway and Berryman S. Hoffman.

An act for the benefit of Matilda Ann Simmons, widow and devisee of Wm. W. Simmons, deceased, and the children and devisees of said Simmons.

An act to change the place of voting in election precincts in Bullitt and Boyle counties.

An act to add an additional term to the Adair Circuit Court.

An act to incorporate the Boone Turnpike Road Company.

An act to incorporate the Warsaw and Williamstown Turnpike Road Company.

An act to incorporate the Lexington Gas Company.

An act to produce uniformity of tolls on the turnpike roads in this Commonwealth.

An act for the benefit of the towns of Burlington and Hamilton.

An act for the benefit of John B. Meredith, of Woodford county.

An act to divorce Ann Elliott from her husband, John Elliott, and to confirm her marriage with John Right, and legitimate her children.

An act authorizing the Frankfort Cemetery Company to convey a portion of its grounds to the State of Kentucky.

An act for the benefit of the town of Dover, in Mason county.

An act to authorize the Superintendent of Public Instruction to make a certain report to the Second Auditor.

An act for the benefit of William H. Taylor, of Mercer county.

An act to incorporate companies to construct Locks and Dams Nos. 6, 7, 8, 9 and 10, on the Kentucky river.

An act to provide an office for the Adjutant and Quarter Master Generals.

An act for the benefit of William Rowlett, of Owen county.

An act to incorporate the Dry Run and Covington Turnpike Road Company.

An act for the benefit of the heirs at law of Nelly White, deceased.

An act to explain the law relating to bills of exceptions.

An act for the benefit of George W. Ewing and Alexander McGregor.

An act to add an additional term to the Bracken Circuit Court.

An act for the benefit of A. G. Kyle, of Mercer county.

Preamble and resolutions in relation to the unfinished turnpike roads in this Commonwealth.

On motion of Mr. Stevenson,

Ordered, That a message be sent to the Senate, asking leave to withdraw the report of this House, announcing the passage of a bill, entitled, an act to amend an act, entitled, an act to incorporate the town of Greensburg in Greenup County.

After a short time the messenger returned with said bill.

On motion of Mr. Waller, leave was given to withdraw the petitions, &c., in relation to the removal of the seat of justice of Mason county, and they were withdrawn.

A message was received from the Senate by Mr. Fox, announcing that they had closed their legislative business, and were now ready to close the present session of the General Assembly, by an adjournment on their part without day; and had appointed a committee, to act in conjunction with a committee on the part of this House, to wait on the Governor and inform him of the proposed adjournment of the General Assembly, and to know if he had any other communication to make.

Whereupon, Messrs. Glenn, Meriwether and Williams were appointed a committee on the part of this House.

Ordered, That Mr. Glenn inform the Senate thereof.

The committee then retired, and after a short time returned, when Mr. Meriwether, from said committee, reported that the committee had performed the duty assigned them, and were informed by the Governor, that having, from time to time, during the present session, communicated his views to the General Assembly, he had now no further communication to make.

Whereupon, the Speaker, having delivered a valedictory address, adjourned the House, *sine die*.

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TO THE

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